

**DECISION RECORD**

**For**

**ISSUANCE OF PIPELINE RIGHT-OF-WAY  
WYW-161290  
BENNETT CREEK  
FOUR INCH DIAMETER  
LIQUID HYDROCARBON  
PIPELINE PROJECT  
ON BUREAU OF LAND MANAGEMENT ADMINISTERED  
PUBLIC LAND  
IN PARK COUNTY, WYOMING**

**Applicant: Windsor Energy Group LLC**

**As Analyzed In  
ENVIRONMENTAL ASSESSMENT WY-020-EA05-032**

**Prepared by the  
Bureau of Land Management  
Cody Field Office  
Cody, Wyoming**

**March, 2006**

# **DECISION RECORD**

## **INTRODUCTION**

In 2004, Windsor Energy Group LLC (Windsor) filed applications for three separate linear rights-of-way with the Bureau of Land Management (BLM) Cody Field Office (CYFO) that would authorize portions of their Bennett Creek Pipeline project on public land near Clark and Elk Basin, Wyoming. The proposed project would entail the construction, maintenance, and operation of a ten (10) inch natural gas pipeline (WYW160172), a four (4) inch liquid hydrocarbon line (WYW161290), a permanent access road (WYW160173), and temporary construction work areas (included with WYW160172). The proposed project would transport natural gas from Windsor's Bennett Creek wells to the Elk Basin Field north of Powell, Wyoming for gas processing at the existing Anadarko/Howell processing plant. Liquid hydrocarbons produced from these wells would be transported through the 4-inch line to the applicant's Central Compressor Station facility on private property, where it would be stored for trucking. The two pipelines would be in the same trench from the well site located on State of Wyoming land to a point near the Central Compressor Station. A portion of the new access road from County Road 8VEN to the Central Compressor Station would cross public land and is proposed to be authorized by road right-of-way grant (WYW160173). Each right-of-way application was analyzed in environmental assessment WY-020-EA05-032, with a separate decision for each application.

Approximately 4.5 miles of the 21 mile long pipeline project would cross public land, with the remainder on private land and a small portion on State of Wyoming land. The four inch diameter liquid hydrocarbon pipeline would cross approximately 1.5 miles of public land in order to transport liquid hydrocarbons to the Central Compressor Station.

Actual surface use by the proposed pipeline project would be mainly restricted to a 50 feet wide right-of-way, although in one area a temporary construction width of an additional 25 feet is needed.

In September 2005, a pre-decisional EA was released for a 30-day public review and comment period. As a result of the comments received, the applicant revised their Emergency Response Plan and additional analysis was performed concerning issues such as safety and water quality.

The revised Emergency Response Plan and the changes listed in Appendix A of this Decision are incorporated by reference in the EA, and the analysis and disclosure of impacts contained therein is part of the case record considered in arriving at my decision. Park County and the Clark Fire District believe the Emergency Response Plan is

adequate for the project, and the BLM believes it is adequate for the public land portions of the project.

## **DECISION**

Based upon the analysis of the potential environmental impacts described in environmental assessment WY-020-EA05-032 (EA) and supporting documents in the case file, consideration of comments received on the Environmental Assessment and the additional analysis and discussion in Appendix A - Response to Comments, the revised Emergency Response Plan, and the Project Design Features, it is my decision to issue a right-of-way grant (under the legal authority of the Mineral Leasing Act of 1920 as amended 30 U.S.C. 185) to construct, operate, and maintain a four inch diameter buried gas pipeline on BLM-administered public lands, as described in Alternative 1 (Proposed Action) of the EA.

This decision includes the attached modifications/Errata found in Appendix A of this Decision Record, and incorporates the mitigation and reclamation measures, called Project Design Features, identified in Chapter 2, section 2.2.2, the Plan of Development, and standard right-of-way terms and conditions.

Additionally, one exception to Standard Mitigation guideline #1, page 60 of the Cody RMP is allowed as stated below. Parts b of the guideline indicates surface disturbance activities can be excepted/waived if supported by analysis/mitigation.

**Class II Visual Resource Management Area in T. 58 N., R.102 W., sec. 32, and T. 57 N., R. 102 W., sec. 4, in the Clark area.** The proposed pipeline is adjacent to/within an existing road or existing pipeline right-of-way, and is not expected to substantially impact scenic values.

A designated agency representative will be on-site periodically during project construction and operation on public lands, to inspect, monitor, and photograph the right-of-way activities to ensure that the operator is in compliance with the terms and conditions of the right-of-way grant.

Issuance of a *Notice to Proceed* for the project will be contingent upon a successful pre-construction meeting and submission by Windsor of a performance/reclamation bond in the amount of \$30,000.

Per 43 CFR § 2881.10, this decision is effective immediately, and shall remain effective pending appeal unless the Interior Board of Land Appeals determines otherwise.

## **ALTERNATIVES CONSIDERED**

### **Alternatives Analyzed and Evaluated In Depth**

Alternative 1 – Proposed Action - Issue a right-of-way grant for a four inch diameter liquid hydrocarbon pipeline and associated adjacent temporary work area. See Section 2.2 of the EA.

Alternative 2 – No Action – No right-of-way grant for a four inch diameter pipeline would be issued. See Section 2.3 of the EA.

### **Other Alternatives Considered but Not Analyzed In Detail**

The other alternatives shown below were considered but were not analyzed in detail. A description and discussion of these alternatives can be found in Section 2.1, of the EA.

**Alternative – Construct the pipeline through the Line Creek subdivision by either acquiring an existing pipeline easement, or new easements from private landowners. This was eliminated from analysis because of the expected impacts to the subdivision property owners.**

**Alternate Route A – a portion of the pipeline in the Clark area would follow County Road 1AB and then follow the south side of Sugar Loaf Butte to the Clark landfill and then to the Central Station Compressor facility. There was no sound legal/technical reason to select this route. Additionally there would be new surface disturbance along the south edge of Sugar Loaf Butte if this route were used.**

**Alternate Route B – follow County Road 1AB to the Clark Landfill and then to the Central Station Compressor facility. There was no sound legal/technical reason to select this route. Additionally, the cost of the project would increase by approximately \$194,000 which is considered significant.**

**Alternative - Move Central Station further east. See section 2.1.3, page 17. This alternative was not considered economically feasible.**

## **PUBLIC INVOLVEMENT**

Public notification and education were integrated with scoping. A scoping notice was sent out to local residents, interest groups, local, state, and federal agencies and officials, Native American tribes, and other interested parties in and around the project area in October of 2004, briefly describing the proposed action. The notice provided information on a public meeting, which would be held to identify concerns and solicit public involvement. The BLM hosted the public meeting on November 3, 2004 at the Clark Recreation Center, with over 60 people in attendance comprising all facets of interest

(regulatory agencies, landowners, minerals industry, environmental groups, political representatives, etc.).

Information was provided to all attendees concerning the proposal, including a question and answer session involving Windsor representatives.

Approximately 30 emails and written comments were received from the public as a result of the initial scoping process. Using the comments from the public, other agencies, and internally, the interdisciplinary team in cooperation with the NEPA contractor (DESCO) identified issues and concerns regarding the potential effects of the proposed action to be addressed in the project analysis.

Although there were many concerns, the primary relevant issues related to the potential adverse effects are discussed in section 1.8 of the EA.

A pre-decisional EA was made available to the public on September 9, 2005, initiating a 30-day public review period. Over 100 additional comments and responses were received, the majority of which were form letters or emails. Because of comments received during that review period, the Emergency Response Plan was revised and additional analysis/clarification was done on certain issues. This information is found in the responses to the public comments, Appendix A which is incorporated in the EA and Decision Record.

Some of the comments received related to issues outside the scope of the analysis, such as future exploration/development and existing oil/gas development on State

In order to be responsive to comments relating to the EA, as well as to clarify and address concerns relative to the EA, Appendix A of this document contains Response to Comments that addresses comments received during both comment periods. Agency response to comments resulted in minor changes to the EA. An errata section is included at the end of Appendix A of this document indicating where editorial changes to the EA are required. These changes were made to correct errors and clarify and/or expand discussion to improve readability and understanding. Due to the minor changes required, and because all changes, corrections, and additional discussion are included as a part of this Decision Notice (including Response to Comments and Errata Sheet), corrected copies of the EA will not be published and made available.

## **RATIONALE FOR DECISION**

The decision to approve the proposed pipeline right-of-way project was based upon the following factors:

1. Consistency with the Cody Resource Management Plan
2. National policy
3. Agency statutory requirements
4. Relevant resource and economic considerations
5. Application of measures to avoid or minimize environmental harm

6. Finding of no significant impact
7. Public comments, and
8. Consistency with the purpose and need for action

### **1. Consistency with Land Use and Resource Management Plans**

The proposed action is in conformance with the planning direction developed for this area. The Cody RMP allows for oil and gas development in this area, including gas processing and transportation.

The lands and realty management objectives, according to the Cody RMP (page 13) “are to support the goals and objectives of other resource programs for managing the BLM-administered public lands and to respond to public demand for land use authorizations.”

The objective for minerals resource management in the Cody Resource Management Plan is to “maintain or enhance opportunities for mineral exploration and development, while providing protection or enhancement of other resource values”.

### **2. National Policy**

The continuing policy of the Federal Government in the national interest is to foster and encourage private enterprise in the orderly and efficient development of domestic oil and gas under principles of balanced multiple-use management, reducing the United States’ dependence upon foreign energy supplies. Therefore, the decision is consistent with national policy.

### **3. Agency Statutory Requirements**

The decision is consistent with all federal, state, and county authorizing actions required to implement the Proposed Action. All pertinent statutory requirements applicable to this proposal were considered.

### **4. Relevant Resource and Economic Considerations**

Project environmental impacts to resources identified in the EA will be temporary in nature with few residual impacts following operations. The project will not cause unnecessary or undue degradation to the public lands. The project will allow the oil and gas lessee (Windsor) and the owner (State of Wyoming) to market the oil and gas resources present.

### **5. Application of Measures to Avoid or Minimize Environmental Harm**

Project Design features, Plan of Development, Stormwater Prevention Plan, Emergency Response Plan, will be a part of the right-of-way terms and conditions.

I believe that these practical measures are consistent with project purpose and need, and are adequate to avoid or mitigate impacts to resources, public lands users, as well as adjacent lands, landholders, and users. In summary, this decision to implement the action will not result in unnecessary or undue degradation of the environment, and will not create substantial direct, indirect, or cumulative effects.

## **6. Finding of No Significant Impact**

Based upon the analysis of potential environmental impacts contained in the EA, the BLM has determined that the Proposed Action, with implementation of the Project Design Features identified in Chapter 2 of the EA, would not cause a significant impact to the quality of the human environment. An environmental impact statement is not necessary. See Appendix B of this decision.

## **7. Public Comments**

All relevant public comments were analyzed and evaluated, and I considered them when making my decision. The EA was circulated for formal public comment for a 30-day period prior to this decision. In addition, one formal public meeting and many informal discussions relating to this subject with potentially affected parties occurred between 2004 and 2006. The relevant formal comments received, and the agency's response to those comments, is contained in Appendix A of this document. The required consultation/coordination occurred with the U.S. Fish and Wildlife Service, the Wyoming State Historic Preservation Office, and Native American Tribes having an affiliation with this area. I believe that comment periods and opportunities for input were adequate for identifying issues/concerns, and that the selected action adequately addresses all issues illustrated in section 1.8 of the EA and later comments (Appendix A).

## **8. Purpose and Need for Action**

The purpose of the proposed project is to allow the applicant, a State of Wyoming oil and gas lessee, to transport natural gas and liquid hydrocarbons from wells on State land to market.

## **APPEALS**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR 3150.2 and 43 CFR Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Cody Field Office, P.O. Box 518, Cody, WY 82414, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with the appropriate field office. If you request a stay, you have burden of proof to demonstrate that a stay should be granted.

### **Standards for Obtaining a Stay**

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Michael J. Blymyer      3/3/2006

**Michael J. Blymyer, Field Manager  
Cody Field Office  
Bureau of Land Management**

**Date**

**DECISION RECORD**

**For**

**ISSUANCE OF PIPELINE RIGHT-OF-WAY  
WYW-160172  
BENNETT CREEK  
TEN INCH DIAMETER  
GAS PIPELINE PROJECT  
ON BUREAU OF LAND MANAGEMENT ADMINISTERED  
PUBLIC LAND  
IN PARK COUNTY, WYOMING**

**Applicant: Windsor Energy Group LLC**

**As Analyzed In  
ENVIRONMENTAL ASSESSMENT WY-020-EA05-032**

**Prepared by the  
Bureau of Land Management  
Cody Field Office  
Cody, Wyoming**

**March, 2006**

# DECISION RECORD

## INTRODUCTION

In 2004, Windsor Energy Group LLC (Windsor) filed applications for three separate linear rights-of-way with the Bureau of Land Management (BLM) Cody Field Office (CYFO) that would authorize portions of their Bennett Creek Pipeline project on public land near Clark and Elk Basin, Wyoming. The proposed project would entail the construction, maintenance, and operation of a ten (10) inch natural gas pipeline (WYW160172), a four (4) inch liquid hydrocarbon line (WYW161290), a permanent access road (WYW160173), and temporary construction work areas (included with WYW160172). The proposed project would transport natural gas from Windsor's Bennett Creek wells to the Elk Basin Field north of Powell, Wyoming for gas processing at the existing Anadarko/Howell processing plant. Liquid hydrocarbons produced from these wells would be transported through the 4-inch line to the applicant's Central Compressor Station facility on private property, where it would be stored for trucking. The two pipelines would be in the same trench from the well site located on State of Wyoming land to a point near the Central Compressor Station. A portion of the new access road from County Road 8VEN to the Central Compressor Station would cross public land and is proposed to be authorized by road right-of-way grant (WYW160173). Each right-of-way application was analyzed in environmental assessment WY-020-EA05-032, with a separate decision for each application.

Approximately 4.5 miles of the 21 mile long ten inch diameter pipeline project would cross public land, with the remainder on private land and a small portion on State of Wyoming land.

Actual surface use by the proposed pipeline project would be mainly restricted to a 50 feet wide right-of-way, although in one area a temporary construction width of an additional 25 feet is needed.

In September 2005, a pre-decisional EA was released for a 30-day public review and comment period. As a result of the comments received, the applicant revised their Emergency Response Plan and additional analysis was performed concerning issues such as safety and water quality.

The revised Emergency Response Plan and the changes listed in Appendix A of this Decision are incorporated by reference in the EA, and the analysis and disclosure of impacts contained therein is part of the case record considered in arriving at my decision. Park County and the Clark Fire District believe the Emergency Response Plan to be adequate for the project, and the BLM believes it is adequate for the public land portions of the project.

## DECISION

Based upon the analysis of the potential environmental impacts described in environmental assessment WY-020-EA05-032 (EA) and supporting documents in the case file, consideration of comments received on the Environmental Assessment and the additional analysis and discussion in Appendix A - Response to Comments, the revised Emergency Response Plan, and the Project Design Features, it is my decision to issue a right-of-way grant (under the legal authority of the Mineral Leasing Act of 1920 as amended 30 U.S.C. 185) to construct, operate, and maintain a ten inch diameter buried gas pipeline on BLM-administered public lands, as described in Alternative 1 (Proposed Action) of the EA.

This decision includes the attached modifications/Errata found in Appendix A of this Decision Record, and incorporates the mitigation and reclamation measures, called Project Design Features, identified in Chapter 2, section 2.2.2 of the EA, the Plan of Development, and standard right-of-way terms and conditions.

Additionally, two exceptions to Standard Mitigation guideline #1, page 60 of the Cody RMP are allowed as stated below. Parts b. and c. of the guideline indicate surface disturbance activities can be excepted/waived if supported by analysis/mitigation.

**1. The pipeline crossing of Silvertip Creek and several other unnamed intermittent drainages in the Elk Basin area.** Impacts to the drainages will be short term and mitigatable even though disturbance will occur within 500 feet of the drainages.

**2. Class II Visual Resource Management Area in T. 58 N., R.102 W., sec. 32, and T. 57 N., R. 102 W., sec. 4, in the Clark area.** The proposed pipeline is adjacent to/within an existing road or existing pipeline right-of-way, and is not expected to substantially impact scenic values.

A designated agency representative will be on-site periodically during project construction and operation on public lands, to inspect, monitor, and photograph the right-of-way activities to ensure that the operator is in compliance with the terms and conditions of the right-of-way grant.

Issuance of a *Notice to Proceed* for the project will be contingent upon a successful pre-construction meeting and submission by Windsor of a performance/reclamation bond in the amount of \$30,000.

Per 43 CFR § 2881.10, this decision is effective immediately, and shall remain effective pending appeal unless the Interior Board of Land Appeals determines otherwise.

## **ALTERNATIVES CONSIDERED**

### **Alternatives Analyzed and Evaluated In Depth**

Alternative 1 – Proposed Action - Issue a right-of-way grant for a ten inch diameter gas pipeline and associated adjacent temporary work area. See Section 2.2 of the EA.

Alternative 2 – No Action – No right-of-way grant for a ten inch diameter pipeline would be issued. See Section 2.3 of the EA.

### **Other Alternatives Considered but Not Analyzed In Detail**

The other alternatives shown below were considered but were not analyzed in detail. A description and discussion of these alternatives can be found in Section 2.1, of the EA.

**Alternative – Construct the pipeline through the Line Creek subdivision by either acquiring an existing pipeline easement, or new easements from private landowners. This was eliminated from analysis because of the expected impacts to the subdivision property owners.**

**Alternative – Tie into the Dr. Ditch four inch diameter gas pipeline near the Montana/Wyoming border. This was eliminated from analysis as the capacity of the Dr. Ditch pipeline was not adequate.**

**Alternate Route A – a portion of the pipeline in the Clark area would follow County Road 1AB and then follow the south side of Sugar Loaf Butte to the Clark landfill and then to the Central Station Compressor facility. There was no sound legal/technical reason to select this route. Additionally there would be new surface disturbance along the south edge of Sugar Loaf Butte if this route were used.**

**Alternate Route B – follow County Road 1AB to the Clark Landfill and then to the Central Station Compressor facility. There was no sound legal/technical reason to select this route. Additionally, the cost of the project would increase by approximately \$194,000 which is considered significant.**

**Alternative - Move Central Station further east. See section 2.1.3, page 17. This alternative was not considered economically feasible.**

## **PUBLIC INVOLVEMENT**

Public notification and education were integrated with scoping. A scoping notice was sent out to local residents, interest groups, local, state, and federal agencies and officials, Native American tribes, and other interested parties in and around the project area in October of 2004, briefly describing the proposed action. The notice provided information on a public meeting, which would be held to identify concerns and solicit public

involvement. The BLM hosted the public meeting on November 3, 2004 at the Clark Recreation Center, with over 60 people in attendance comprising all facets of interest (regulatory agencies, landowners, minerals industry, environmental groups, political representatives, etc.).

Information was provided to all attendees concerning the proposal, including a question and answer session involving Windsor representatives.

Approximately 30 emails and written comments were received from the public as a result of the initial scoping process. Using the comments from the public, other agencies, and internally, the interdisciplinary team in cooperation with the NEPA contractor (DESCO) identified issues and concerns regarding the potential effects of the proposed action to be addressed in the project analysis.

Although there were many concerns, the primary relevant issues related to the potential adverse effects are discussed in section 1.8 of the EA.

A pre-decisional EA was made available to the public on September 9, 2005, initiating a 30-day public review period. Over 100 additional comments and responses were received, the majority of which were form letters or emails. Because of comments received during that review period, the Emergency Response Plan was revised and additional analysis/clarification was done on certain issues. This information is found in the responses to the public comments, Appendix A, which are incorporated in the EA and Decision Record.

Some of the comments received related to issues outside the scope of the analysis, such as future exploration/development and existing oil/gas development on State

In order to be responsive to comments relating to the EA, as well as to clarify and address concerns relative to the EA, Appendix A of this document contains Response to Comments that addresses comments received during both comment periods. Agency response to comments resulted in minor changes to the EA. An errata section is included at the end of Appendix A of this document indicating where editorial changes to the EA are required. These changes were made to correct errors and clarify and/or expand discussion to improve readability and understanding. Due to the minor changes required, and because all changes, corrections, and additional discussion are included as a part of this Decision Notice (including Response to Comments and Errata Sheet), corrected copies of the EA will not be published and made available.

## **RATIONALE FOR DECISION**

The decision to approve the proposed pipeline right-of-way project was based upon the following factors:

1. Consistency with the Cody Resource Management Plan
2. National policy
3. Agency statutory requirements
4. Relevant resource and economic considerations
5. Application of measures to avoid or minimize environmental harm
6. Finding of no significant impact
7. Public comments, and
8. Consistency with the purpose and need for action

### **1. Consistency with Land Use and Resource Management Plans**

The proposed action is in conformance with the planning direction developed for this area. The Cody RMP allows for oil and gas development in this area, including gas processing and transportation.

The lands and realty management objectives, according to the Cody RMP (page 13) “are to support the goals and objectives of other resource programs for managing the BLM-administered public lands and to respond to public demand for land use authorizations.”

The objective for minerals resource management in the Cody Resource Management Plan is to “maintain or enhance opportunities for mineral exploration and development, while providing protection or enhancement of other resource values”.

### **2. National Policy**

The continuing policy of the Federal Government in the national interest is to foster and encourage private enterprise in the orderly and efficient development of domestic oil and gas under principles of balanced multiple-use management, reducing the United States’ dependence upon foreign energy supplies. Therefore, the decision is consistent with national policy.

### **3. Agency Statutory Requirements**

The decision is consistent with all federal, state, and county authorizing actions required to implement the Proposed Action. All pertinent statutory requirements applicable to this proposal were considered.

### **4. Relevant Resource and Economic Considerations**

Project environmental impacts to resources identified in the EA will be temporary in nature with few residual impacts following operations. The project will not cause unnecessary or undue degradation to the public lands. The project will allow the oil and gas lessee (Windsor) and the owner (State of Wyoming) to market the oil and gas resources present.

## **5. Application of Measures to Avoid or Minimize Environmental Harm**

Project Design features, Plan of Development, Stormwater Prevention Plan, Emergency Response Plan, will be a part of the right-of-way terms and conditions.

I believe that these practical measures are consistent with project purpose and need, and are adequate to avoid or mitigate impacts to resources, public lands users, as well as adjacent lands, landholders, and users. In summary, this decision to implement the action will not result in unnecessary or undue degradation of the environment, and will not create substantial direct, indirect, or cumulative effects.

## **6. Finding of No Significant Impact**

Based upon the analysis of potential environmental impacts contained in the EA, the BLM has determined that the Proposed Action, with implementation of the Project Design Features identified in Chapter 2 of the EA, would not cause a significant impact to the quality of the human environment. An environmental impact statement is not necessary. See Appendix B of this decision.

## **7. Public Comments**

All relevant public comments were analyzed and evaluated, and I considered them when making my decision. The EA was circulated for formal public comment for a 30-day period prior to this decision. In addition, one formal public meeting and many informal discussions relating to this subject with potentially affected parties occurred between 2004 and 2006. The relevant formal comments received, and the agency's response to those comments, is contained in Appendix A of this document. The required consultation/coordination occurred with the U.S. Fish and Wildlife Service, the Wyoming State Historic Preservation Office, and Native American Tribes having an affiliation with this area. I believe that comment periods and opportunities for input were adequate for identifying issues/concerns, and that the selected action adequately addresses all issues illustrated in section 1.8 of the EA and later comments (Appendix A).

## **8. Purpose and Need for Action**

The purpose of the proposed project is to allow the applicant, a State of Wyoming oil and gas lessee, to transport natural gas and liquid hydrocarbons from wells on State land to market.

## APPEALS

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR 3150.2 and 43 CFR Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Cody Field Office, P.O. Box 518, Cody, WY 82414, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with the appropriate field office. If you request a stay, you have burden of proof to demonstrate that a stay should be granted.

### Standards for Obtaining a Stay

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Michael J. Blymyer      3/3/2006

Michael J. Blymyer, Field Manager  
Cody Field Office  
Bureau of Land Management

Date

**DECISION RECORD**

**For**

**ISSUANCE OF ACCESS ROAD  
RIGHT-OF-WAY WYW-160173  
ASSOCIATED WITH THE  
BENNETT CREEK  
PIPELINE PROJECT  
ON BUREAU OF LAND MANAGEMENT ADMINISTERED  
PUBLIC LAND  
IN PARK COUNTY, WYOMING**

**Applicant: Windsor Energy Group LLC**

**As Analyzed In  
ENVIRONMENTAL ASSESSMENT WY-020-EA05-032**

**Prepared by the  
Bureau of Land Management  
Cody Field Office  
Cody, Wyoming**

**March, 2006**

# DECISION RECORD

## INTRODUCTION

In 2004, Windsor Energy Group LLC (Windsor) filed applications for three separate linear rights-of-way with the Bureau of Land Management Cody Field Office (CYFO) that would authorize portions of their Bennett Creek Pipeline project on public land near Clark and Elk Basin, Wyoming. The proposed project would entail the construction, maintenance, and operation of a ten (10) inch natural gas pipeline (WYW160172), a four (4) inch liquid hydrocarbon line (WYW161290), a permanent access road (WYW160173), and temporary construction work areas (included with WYW160172). The proposed project ten inch pipeline would transport natural gas from Windsor's Bennett Creek wells to the Elk Basin Field north of Powell, Wyoming for gas processing at the existing Anadarko/Howell processing plant. Liquid hydrocarbons produced from these wells would be transported through the 4-inch line to the applicant's Central Compressor Station facility on private property, where it would be stored for trucking. The two pipelines would be in the same trench from the well site located on State of Wyoming land to a point near the Central Compressor Station. A portion of the new access road from County Road 8VEN to the Central Compressor Station would cross public land and is proposed to be authorized by road right-of-way grant (WYW160173). Each right-of-way application was analyzed in environmental assessment WY-020-EA05-032, with a separate decision for each application.

The access road would be constructed to suitable standards for the traffic, with the dimensions of the right-of-way being 60 feet wide and 746 feet long in T. 57 N., R. 102 W., sec. 10, NW¼.

In September 2005, a pre-decisional Environmental Assessment was released for a 30-day public review and comment period. As a result of the comments received, the applicant revised their Emergency Response Plan and additional analysis was performed concerning issues such as safety and water quality.

The revised Emergency Response Plan and the changes listed in Appendix A of this Decision are incorporated by reference in the EA, and the analysis and disclosure of impacts contained therein is part of the case record considered in arriving at my decision. Park County and the Clark Fire District believe the Emergency Response Plan to be adequate for the project, and the BLM believes it is adequate for the public land portions of the project.

## DECISION

Based upon the analysis of the potential environmental impacts described in environmental assessment WY-020-EA05-032 (EA) and supporting documents in the case file, consideration of comments received on the Environmental Assessment and the additional analysis and discussion in Appendix A - Public Comments and Responses to EA, the revised Emergency Response Plan, and the Project Design Features, it is my decision to issue a right-of-way grant (under the legal authority of Title V of the Federal Land Policy Management Act of October 21, 1976 – 90 Stat. 2776; 43 U.S.C. 1761) to construct, operate, and maintain an access road on BLM-administered public lands, as described in Alternative 1 (Proposed Action) of the EA.

This decision includes the modifications/Errata found in Appendix A of this Decision Record, and incorporates the mitigation and reclamation measures, called Project Design Features, identified in section 2.2.2 of the EA, the Plan of Development, and standard right-of-way terms and conditions.

Additionally, one exception to Standard Mitigation guideline #1, page 60 of the Cody RMP is allowed as stated below. Part b of the guideline indicates surface disturbance activities can be excepted/waived if supported by analysis/mitigation.

**Class II Visual Resource Management Area in T. 57 N., R. 102 W., sec. 10, in the Clark area.** The short section of proposed access road is adjacent to the Clark Landfill and County Road 8VE and is not expected to substantially impact scenic values.

A designated agency representative will be on-site periodically during project construction and operation on public lands, to inspect, monitor, and photograph the right-of-way activities to ensure that the operator is in compliance with the terms and conditions of the right-of-way grant.

Issuance of a *Notice to Proceed* for the project will be contingent upon a successful pre-construction meeting and submission by Windsor of a performance/reclamation bond in the amount of \$30,000.

Per 43 CFR § 2801.10, this decision is effective immediately, and shall remain effective pending appeal unless the Interior Board of Land Appeals determines otherwise.

## ALTERNATIVES CONSIDERED

### Alternatives Analyzed and Evaluated In Depth

Alternative 1 – Proposed Action - Issue a right-of-way grant for an access road as described in Section 2.2 of the EA.

Alternative 2 – No Action – No right-of-way grant for an access road would be issued. Access to the Central Station Compressor facility would need to be by a different route.

### Other Alternatives Considered but Not Analyzed In Detail

The other alternatives shown below were considered but were not analyzed in detail.

**Alternative – Use County Road 8VEN to access Park County landfill property and then build/upgrade a road to Windsor’s private property containing the Central Station Compressor facility.** This would involve activities that would not be compatible with operations at the Clark landfill. The proposed right-of-way across BLM land allows access to County property such that the access road to Central Station is able to be sited on the east side of the landfill where there is not a conflict.

**Alternative – Acquire/use access from existing roads to the east.** This would involve substantial road improvement and longer hauling distances. Additionally, the road system serves a rural residential area containing homes and increased traffic was a concern for local residents.

**Alternative - Move Central Station further east so that access across BLM land would not be needed.** See section 2.1.3, page 17. This alternative was not considered economically feasible.

## PUBLIC INVOLVEMENT

Public notification and education were integrated with scoping. A scoping notice was sent out to local residents, interest groups, local, state, and federal agencies and officials, Native American tribes, and other interested parties in and around the project area in October of 2004, briefly describing the proposed action. The notice provided information on a public meeting, which would be held to identify concerns and solicit public involvement. The BLM hosted the public meeting on November 3, 2004 at the Clark Recreation Center, with over 60 people in attendance comprising all facets of interest (regulatory agencies, landowners, minerals industry, environmental groups, political representatives, etc.).

Information was provided to all attendees concerning the proposal, including a question and answer session involving Windsor representatives.

Approximately 30 emails and written comments were received from the public as a result of the initial scoping process. Using the comments from the public, other agencies, and internally, the interdisciplinary team in cooperation with the NEPA contractor (DESCO) identified issues and concerns regarding the potential effects of the proposed action to be addressed in the project analysis.

Although there were many concerns, the primary relevant issues related to the potential adverse effects are discussed in section 1.8 of the EA.

A pre-decisional EA was made available to the public on September 9, 2005, initiating a 30-day public review period. Over 100 additional comments and responses were received, the majority of which were form letters or emails. Because of comments received during that review period, the Emergency Response Plan was revised and additional analysis/clarification was done on certain issues. This information is found in the responses to the public comments, Appendix A which are incorporated in the EA and Decision Record.

Some of the comments received related to issues outside the scope of the analysis, such as future exploration/development and existing oil/gas development on State

In order to be responsive to comments relating to the EA, as well as to clarify and address concerns relative to the EA, Appendix A of this document contains Response to Comments that addresses comments received during both comment periods. Agency response to comments resulted in minor changes to the EA. An errata section is included at the end of Appendix A of this document indicating where editorial changes to the EA are required. These changes were made to correct errors and clarify and/or expand discussion to improve readability and understanding. Due to the minor changes required, and because all changes, corrections, and additional discussion are included as a part of this Decision Notice (including Response to Comments and Errata Sheet), corrected copies of the EA will not be published and made available.

## **RATIONALE FOR DECISION**

The decision to approve the proposed pipeline right-of-way project was based upon the following factors:

1. Consistency with the Cody Resource Management Plan
2. National policy
3. Agency statutory requirements
4. Relevant resource and economic considerations
5. Application of measures to avoid or minimize environmental harm
6. Finding of no significant impact
7. Public comments, and
8. Consistency with the purpose and need for action

### **1. Consistency with Land Use and Resource Management Plans**

The proposed action is in conformance with the planning direction developed for this area. The Cody RMP allows for oil and gas development in this area, including gas processing and transportation.

The lands and realty management objectives, according to the Cody RMP (page 13) “are to support the goals and objectives of other resource programs for managing the BLM-administered public lands and to respond to public demand for land use authorizations.”

The objective for minerals resource management in the Cody Resource Management Plan is to “maintain or enhance opportunities for mineral exploration and development, while providing protection or enhancement of other resource values”.

### **2. National Policy**

The continuing policy of the Federal Government in the national interest is to foster and encourage private enterprise in the orderly and efficient development of domestic oil and gas under principles of balanced multiple-use management, reducing the United States’ dependence upon foreign energy supplies. Therefore, the decision is consistent with national policy.

### **3. Agency Statutory Requirements**

The decision is consistent with all federal, state, and county authorizing actions required to implement the Proposed Action. All pertinent statutory requirements applicable to this proposal were considered.

### **4. Relevant Resource and Economic Considerations**

Project environmental impacts to resources identified in the EA will be temporary in nature with few residual impacts following operations. The project will not cause unnecessary or undue degradation to the public lands. The project will allow the oil and gas lessee (Windsor) and the owner (State of Wyoming) to market the oil and gas resources present by being able to access the Central Compressor Station.

### **5. Application of Measures to Avoid or Minimize Environmental Harm**

Project Design features, Plan of Development, Stormwater Prevention Plan, Emergency Response Plan, will be a part of the right-of-way terms and conditions.

I believe that these practical measures are consistent with project purpose and need, and are adequate to avoid or mitigate impacts to resources, public lands users, as well as adjacent lands, landholders, and users. In summary, this decision to implement the action will not result in unnecessary or undue degradation of the environment, and will not create substantial direct, indirect, or cumulative effects.

### **6. Finding of No Significant Impact**

Based upon the analysis of potential environmental impacts contained in the EA, the BLM has determined that the Proposed Action, with implementation of the Project

Design Features identified in EA, would not cause a significant impact to the quality of the human environment. An environmental impact statement is not necessary. See Appendix B of this decision.

## **7. Public Comments**

All relevant public comments were analyzed and evaluated, and I considered them when making my decision. The EA was circulated for formal public comment for a 30-day period prior to this decision. In addition, one formal public meeting and many informal discussions relating to this subject with potentially affected parties occurred between 2004 and 2006. The relevant formal comments received, and the agency's response to those comments, is contained in Appendix A of this document. The required consultation/coordination occurred with the U.S. Fish and Wildlife Service, the Wyoming State Historic Preservation Office, and Native American Tribes having an affiliation with this area. I believe that comment periods and opportunities for input were adequate for identifying issues/concerns, and that the selected action adequately addresses all issues identified in section 1.8 of the EA and later comments (Appendix A).

## **8. Purpose and Need for Action**

The purpose of the proposed project is to allow the applicant, a State of Wyoming oil and gas lessee, to transport natural gas and liquid hydrocarbons from wells on State land to market. The access road provides access to the Central Compressor facility which is part of the pipeline project.

## **APPEALS**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR 3150.2 and 43 CFR Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Cody Field Office, P.O. Box 518, Cody, WY 82414, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with the appropriate field office. If you request a stay, you have burden of proof to demonstrate that a stay should be granted.

### **Standards for Obtaining a Stay**

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Michael J. Blymyer 3/3/2006

**Michael J. Blymyer, Field Manager  
Cody Field Office  
Bureau of Land Management**

**Date**

# **Appendix A**

## **Public Comments and Responses on the Environmental Assessment**

03/03/06

Environmental Assessment WYW-020-05-032 was available for review and public comment from September 10 through October 17, 2005.

All comments received were carefully considered and evaluated in developing this decision record. The BLM received a large number of written letters and emails concerning this project.

Some of the comments received concerning the EA did result in changes, additions, and clarifications as indicated in the BLM's responses below. Many of the comments asked for a response, and one is provided if the comment was relevant to the proposed action, especially for those that may have or did change the outcome or some aspect of the project. Where multiple comments concerning the same issue were received, one representative comment was used.

Due to the large number of comments received, those of a general nature, or those that simply express a personal opinion or a preference for one alternative over another, are not listed.

### **NEPA/Planning Issues**

#### **Scope of the Environmental Assessment**

**Comment #1:** A number of comments were received regarding the scope of the Environmental Assessment (EA), and more specifically, what should/should not be included in the analysis with regards to the proposed project. Some individuals felt that other present/planned oil and gas projects in the area were not adequately taken into consideration in the development of the EA, and that impacts were not considered for the entire pipeline route.

**Response:** The EA is specific to the proposed action and alternatives on federal lands, aside from the discussion of cumulative impacts. The scope of the EA is stated in Section 1.3, paragraph 1, and activities beyond the scope of the analysis were discussed in some instances (where this information provided a better understanding of an issue or impact), but not considered in the decision-making process. Should future proposals on federal lands be received by the BLM, they would be addressed individually through the NEPA process.

For example, the 3-D seismic project presently being considered by the BLM and the Forest Service has its own environmental assessment. The 3D proposal and the pipeline project were not considered in a single document because they are separated both spatially and temporally, they are not interrelated steps or phases of a single large project, and each project has a utility

independent of the other (i.e., the pipeline would be built whether or not the seismic project is implemented, and vice-versa).

**Comment #2:** Several commentors indicated a general belief without specifics that the BLM's proposed plan does not adequately address NEPA, is lacking information in many areas, and provides contradictory information, when available.

**Response:** It would have been helpful to receive specific details to consider. We are unable to provide a response to address their concerns without more information.

**Comment #3:** One commentor pointed out that the EA states that decisions on three separate rights-of-way will be made, but only a vague description of this plan is given on page 3. There is no discussion or explanation of specifics related to each right of way plan; i.e., there is no compilation of information relating a specific impact or lack of impact to that specific portion of the project plan. This commentor believed that lack of discussion of impacts to specific plan implementation devalues the EA by diminishing site-specific mitigation.

**Response:** Although three separate decisions for issuance of rights of way will be made, the BLM's proposed action includes all three related rights-of-way; therefore, the impacts of all three actions together are analyzed throughout the EA. Impacts were addressed separately in each section where they differed.

## **Need for an Environmental Impact Statement (EIS)**

**Comment #4:** Many commentors stated that an Environmental Impact Statement needs to be prepared in order to adequately address impacts from oil/gas energy exploration and development in the Clark area since the pipeline is just one of many projects in the area. This would likely include seismic testing, drilling of wells, and building of access roads. Several commentors indicated an EIS is needed regarding broad scale energy development impacts to property values, and one commentor indicated that a deeper, more insightful assessment of overall need vs. the adverse effects of these actions upon the quality of the human environment was needed.

**Response:** The EA is specific to the proposed action and alternatives to that action, as well as cumulative impacts of known actions and specific proposals at this time, as required by NEPA. The EA addresses impacts to the natural and human environment that are anticipated from proposed operations in the reasonably foreseeable future. It also discusses measures that will be taken to minimize and/or mitigate impacts. We believe that an EIS is not necessary since anticipated impacts from this project to the human environment are minimal and can be mitigated. Absent any concrete proposals regarding future development, any attempt to predict the impacts of "broad-scale energy development" would be unfounded speculation.

**Comment #5:** One commentor asked for a public hearing to answer nagging questions and also negative impacts already existing.

**Response:** It was unclear as to the nature of the nagging questions about the project or what negative impacts the commentor is referring to, so we are unable to respond.

**Comment #6:** Several commentors indicated a belief the environmental assessment did not clearly indicate the portion of the pipeline in the Clark area would cause more impacts than the eastern portion in Elk Basin.

**Response:** The Environmental Assessment does indicate the portion of the pipeline on public land in the Clark area would have travel related impacts because of the landowners using County road 1AB and Crossfire Trail. Similar impacts would not exist to this degree in the Elk Basin area, which has mostly oilfield traffic.

Potential Safety/hazard impacts are also more of a concern in the Line Creek area than in Elk Basin, again because of the local population. Windsor has voluntarily taken steps to minimize potential noise, visual and nuisance impacts to landowners near County road 1AB by relocating a significant aspect of the development (Central Station) remote from these landowners. In a typical development, such equipment would have otherwise been co-located at the well site.

## **Land Use Plans**

**Comment #7:** A number of commentors believe that the 1998 Park County Land Use Plan should be changed because the Clark area has changed since the Land Use Plan was approved. The land use plan indicates the suitability category for land crossed by the proposed project is conservation and low intensity rural land, both of which are indicated to be suitable for oil and gas extraction. One individual felt that the presence of subdivisions was ignored.

**Response:** The 1998 Park County Land Use Plan is the local planning document available for the project area and does not apply to Federal land in the legal sense. Until such time that a new land use plan is approved this plan is the one in effect and BLM will continue to use it as a guide as indicated on page 7 of the EA. The Line Creek subdivision was present prior to the approval of the Park County Land Use Plan and has a past history (prior to 1998) of some local area oil and gas development. See section 3.13, page 52, for a more detailed explanation of past oil and gas activity in this area.

**Comment #8:** Some individuals commented that the Cody Resource Management Plan (RMP) is outdated and does not address the situation in the Clark area.

**Response:** The current Cody RMP prescribes management guidelines designed to protect the resources of the area. This plan and guidelines contained in the plan are currently applicable to the proposed project. Until such time that a new RMP is approved, this plan is the one in effect

and the BLM will continue to use it as a guide. A Cody RMP revision may begin in October of 2007 (Fiscal Year 08) and will likely take 3-4 years to complete.

**Comment #9:** Some comments pointed out the Cody RMP indicates no surface disturbance within 500 feet of surface water/and or riparian areas unless an exception is granted, and that portions of the project cross irrigation ditches, Line Creek and the Clark's Fork River.

**Response:** None of the features (ditches, Line Creek, Clark's Fork River) listed are on public land that the Cody RMP applies to; however, the affects of project operations on surface waters in the entire project area have been analyzed in the EA. Any regulatory permits necessary for pipeline construction in or around waterways have been obtained (See Section 3.7, Page 43).

## **Regulatory/Operational Issues/Pipeline Design**

### **Facilities**

**Comment #10:** Some commentors felt that a better description of the well pad facilities and how it will impact residents is needed. One commentor specifically wanted to know how residents would be affected by separation equipment and pointed out that there was no description of the facility or subsequent impacts.

**Response:** The well pad facilities where the west end of the pipeline begins are on State land, and outside of the BLM's jurisdiction. The information below is provided to allow the public a better understanding of Windsor's plans in the area.

As a result of the decision to locate the Central Facility installation remotely from the well pad, Windsor can minimize the presence of equipment at the well pad. Nevertheless, the following equipment will be required at the Bennett Creek location on State land:

- Production separator inside enclosure – approximately 10' tall x 8' wide x 20' long (approximate enclosure dimensions)
- Three (3) test separators inside enclosures – approximately 7' tall x 7' wide x 15' long (approximate enclosure dimensions)
- Three (3) 400 barrel tanks – approximately 20' tall x 12' diameter
- Four (4) production wellheads ("Christmas trees") – approximately 5' tall
- Miscellaneous piping and valves

There will be no ongoing noise impacts from any of this equipment. There is no rotating equipment on site (engines, motors or pumps) that has the potential to create noise.

Visual impacts will be dependent upon the line of sight location of a member of the public. To minimize visual impacts, Windsor will paint all major components Desert Sand or some other appropriate color and place equipment, where possible, practical and safe, in a location to minimize visibility from residential and public areas. Site lighting standards will be installed for

the safety of the production operator when working after darkness. The lights will be shielded to direct lighting onto site area and to minimize off-site illumination.

There will be no emissions from the site that contain any odors.

**Comment #11:** One individual inquired as to how additional compression will be handled as these wells mature, and what will be the impact. This commentor also questioned why such a low pressure (200 psi) in the gas pipeline.

**Response:** Windsor will initially install one (1) compressor at the Central Station site. As well production levels warrant, up to three (3) compressors have been permitted to operate at the site. All compressors will comply with the Wyoming Department of Environmental Quality's (WDEQ) air emission standards and all permit conditions imposed by the WDEQ to operate these 3 units. As wells mature, unneeded compression would be shut down and compression units will be removed from the site to the extent they are not required for backup purposes.

There is a need for low back pressure on wells in this area, which was already addressed in EA (See p.17, paragraph 3).

**Comment #12:** How could production double with time if no more wells are drilled as is indicated in the EA? p. 51, paragraph 6. The 5 to 6 tanker truck loads stated in the EA is the minimum expected, additional truck loads are possible from the same wells.

**Response:** The language included in the EA was meant to imply that if production is double the minimum volume anticipated from the existing wells, more trucks would be required. It didn't necessarily mean that more wells would be drilled.

## **Elk Basin Gas Processing Plant**

**Comment #13:** A number of individuals inquired about the specific location of Windsor's new gas processing plant in Elk Basin served by the pipeline.

**Response:** Windsor currently has no plans to build a gas processing plant in the Elk Basin area. Windsor plans to connect their gas pipeline into an existing Anadarko pipeline in Elk Basin (EA, see Map 1), which will transport the gas to Anadarko's existing processing plant in Elk Basin. Windsor may construct a plant in Elk Basin in the future if it can be economically justified, but no specific location is being considered at this time.

## **Route**

**Comment #14:** Several commentors mentioned an alternate route across state and BLM land which would avoid roads and subdivisions, but provided no map or indication of where this would be.

**Response:** The BLM considered the alternate routes received during public scoping (See Section 2.1 of the EA). This comment was not provided during public scoping, and does not provide enough information concerning the route or details for us to comment on it.

**Comment #15:** Several commentors asked for more specific details of the pipeline route in the Clark area and indicated the project map in the EA is not detailed enough.

**Response:** The commentors did not provide information as to what a detailed map would consist of. Three maps were included in the EA, with the one for the Clark area at a scale of approximately 1 inch=3300 feet on page 54. This map is similar to the typical USGS topographical quadrangle map scale, which is 1 inch=2000 feet. The map contains all major known details from the project area that we are able to provide. Sensitive information such as the location of cultural sites, wildlife nests, etc., is not available to the general public. Table 1 on page 4 of the EA contains legal descriptions of all lands affected by the proposed project. Several paragraphs on page 4 of the EA also describe the area.

The proposed pipeline route on public land in the Clark area is on the north edge of Crossfire Trail and within County Road 1AB right-of-way as shown on Map 2 and in the photographs labeled Figures 3,4,5. The pipeline is proposed to follow approximately the alignment where the rock piles are located in Figure 4, which is on the north edge of Crossfire Trail. The rest of the pipeline in Elk Basin follows an abandoned pipeline right-of-way (also approximately 50 feet in width) as shown in Map 1, and also in the photograph labeled Figure 8.

**Comment #16:** One commentor asked why plans for Windsor's proposed access road route from the county landfill to the central station facility were left unapproved by Park County prior to the release of the EA.

**Response:** Windsor obtained input from Park County staff on the proposed route for the access road right-of-way easement across County property prior to the release of the EA. Windsor has since obtained that approval from Park County.

## **Faulting/Seismic Issues**

**Comment #17:** One commentor is of the opinion that the USGS (1:750,000) map of Quaternary Faults and Folds referenced in the EA isn't adequate for the identification of Quaternary faults in the immediate Clark area. This commentor provided documentation that indicates that an earthquake event occurred in the area of Clark and three additional earthquake events occurred to the south from Bald Ridge to the west between 1871 to 1986. This individual also inquired about the reference for the statement on p. 55 of the EA that "...area is now in a period of gradual, regional uplift that has continued since the Miocene," and whether or not the pipeline is designed with an appropriate seismic hazard rating incorporated. The individual suggested that an effort should have been made to actually check the pipeline route, particularly the Clark area for active faults.

**Response:** It is correct that the USGS map entitled “Map of Quaternary Faults and Folds of Wyoming” (Scale 1:750,000) is inadequate for direct identification of more recent faulting activity; however, it serves as a general reference for baseline level analysis. We certainly realize its limitations in that regard.

The reference regarding the Miocene epierogeny is as follows:

Flanagan, K.M., and Montagne, J., 1993, Neogene stratigraphy and tectonics of Wyoming, in Snoke, A.W., Steidtmann, J.R., and Roberts, S.M., editors, *Geology of Wyoming: Geological Survey of Wyoming Memoir No. 5*, p. 572-607.

With regards to pipeline design, Windsor is unable to identify any regulations, codes, ordinances or engineering standards that mandate incorporation of seismic events into pipeline design or any similar below-grade utilities for that matter.

The governing regulations for pipeline design for the Bennett Creek pipelines (Department of Transportation 49 CFR Part 192 and 49 CFR part 195) do not dictate any design criteria relative to seismic hazards or other natural or man-made dynamic loads (landslides, heavy floods, explosions, irresponsible excavators, etc.).

Windsor has also verified that local regulatory bodies in the Clark area (Park County and City of Cody) do not possess any construction codes, design standards or ordinances regarding design of below-grade utilities for protection from seismic impacts. While seismic risks are quantified and defined for all areas of the United States, including northwest Wyoming, such risks are typically incorporated into design criteria for above-ground structures such as building and bridge foundations and structural design. No evidence can be found to provide guidance for seismic design in underground utilities.

Windsor’s pipeline design exceeds all known regulatory standards. This design, consistent with industry-wide standards, does not pose any greater risk of failure from seismic events than underground utilities and structures seen throughout the Park County, the City of Cody and other municipal and rural areas that contain underground water lines, sewer lines, domestic gas lines, septic systems, water wells, buried oil and gas transportation pipelines, oil and gas production well casing, telephone and cable conduit, etc. All are subject to an equal risk of failure with a given major seismic event.

A ground-level survey was performed by a professional geologist for potential active faults, fault scarps, fractures or areas of active down slope movement along the pipeline route on public land. No potential problems or concerns were identified.

## Construction

**Comment #18:** One individual asked how impacts from construction of the pipeline would be avoided?

**Response:** The commentor did not specify which impacts are of concern. Project design features listed in Section 2.2.2 help to avoid or mitigate for many impacts; however, some impacts are unavoidable. Impacts are disclosed by resource in section 3.0 of the EA.

**Comment #19:** One individual inquired about what depth is considered sufficient to cover the pipeline if bedrock is encountered along the county road and asked how it would be cushioned?

**Response:** Windsor will install the pipeline to a depth that will exceed the Department of Transportation's minimum coverage requirements established by 49 CFR 195.248(a). The minimum depth of coverage (above top of pipe) established by this requirement is 36" in unconsolidated soil and 30" if bedrock is encountered.

After the pipe ditch is excavated to adequate depth, a layer of "imported" uniform unconsolidated sandy loose dirt or sandbags will line the bottom of the ditch. The welded steel pipe will then be installed on top of this cushion or "pad". After placement of the pipe onto this base pad, identical material will be placed in the ditch around the pipe up to a level approximately one foot above the top of the pipe, to create a "jacket" of uniform padding surrounding the entire pipe. Additionally, in rocky areas, "rock shield" will be wrapped around the pipe. On-site native material will "cap" the ditch to surface in order to return surface to pre-construction conditions.

**Comment #20:** One commentor indicated Windsor should compensate people for their lost time if there are traffic delays, as any delay is for Windsor's benefit and not community residents.

**Response:** There is no legal requirement to compensate road users where a construction project will stop or slow vehicle traffic on county, state, or BLM roads. There will be a local benefit from taxes paid to Park County and also from the graveling of approximately 3000 feet of Cross Fire Trail.

**Comment #21:** Some commentors indicated there are other pipelines/wells on private land mentioned in Windsor's Storm Water Pollution Prevention Plan but not addressed in the EA.

**Response:** Analysis of other pipelines/wells that are not part of the proposed action is outside the scope of the EA.

**Comment #22:** Some commentors were interested in knowing what the best management practices are that are referenced in the EA.

**Response:** Best Management Practices are based on the best information available at the time. Best Management Practices for re-planting are included in Windsor's Plan of Development.

Best Management Practices for storm water pollution prevention are included in Windsor's Storm Water Pollution Prevention Plan. These documents are both on file at the Cody BLM Office.

**Comment #23:** One individual asked how Hydrostatic test water would be disposed of?

**Response:** Hydrostatic test water will be disposed of on private land, and suitable sites of level ground will be selected in order to avoid any risk of erosion of ditches or widespread migration of discharged water to lower elevations. Before releasing water, it will pass through a cloth/bag filter and at least 2 hay or straw bales for filtration of any contaminants or particulates that may have been carried out of pipe. Water will be discharged under the authority of a legal discharge permit from the Wyoming DEQ. Discharge of hydrostatic test water in the manner described is common practice throughout the State of Wyoming.

**Comment #24:** A member of the public wanted to know where equipment cleaning for noxious weeds would take place?

**Response:** The pipeline contractor, Brandon Construction from Powell, Wyoming, will clean all equipment of mud, debris and vegetation inside their yard using a power washer prior to bringing equipment to site.

**Comment #25:** One individual asked whom the pipeline inspector would be and what his qualifications are.

**Response:** William (Butch) Sommerville will be the pipeline inspector. He has almost 40 years of pipeline related work experience, primarily with Marathon Pipeline in the Cody area.

**Comment #26:** A member of the public wanted to know how activities will be coordinated with Park County and what county personnel will be involved.

**Response:** Prior to the start of pipeline construction, Windsor will contact Mr. Frank Page, County Engineer, to coordinate any potential conflicts or activities with County functions. Periodic communications and contacts will occur as required to assure a smooth construction process and in a manner that minimizes disruptions to the flow of traffic on the county road. It is not anticipated that any County personnel will be directly involved as part of the construction process however unanticipated road maintenance and repairs may involve the County. These situations will be addressed in direct communications with Mr. Page as they are encountered.

**Comment #27:** Some commentors wanted to know the actual timeframe for pipeline construction.

**Response:** The time frame is approximately 3 months, subject to weather conditions and any other land-access scheduling conflicts imposed by the grantors of the right of way. The portion in the Clark/Line Creek area involving County Road 1AB and Crossfire Trail on both private and public land will take approximately 7-9 weeks, subject to weather conditions.

**Comment #28:** One individual expressed that the boundaries of County Road 1AB should be surveyed prior to construction.

**Response:** This has been done.

**Comment #29:** A commentor wanted to know what the basis for the \$25,000-\$35,000 estimate to gravel Cross Fire Trail included in the EA is.

**Response:** The cost estimate was provided by a local contractor.

**Comment #30:** One commentor asked who monitors Windsor if ROW monuments or brass caps are destroyed, by what means would these markers be restored, and what method would be used to ascertain their location.

**Response:** Private landowners are responsible for monitoring survey monuments on their private lands. The BLM is not aware of the presence of any survey monuments within the proposed ROW on public land. If BLM notices that survey monuments on public lands are destroyed or damaged, the BLM would require Windsor to hire a licensed surveyor to re-establish the monument.

## **Emergency Response/ Pipeline Safety**

**Comment #31:** Many individuals expressed concern over pipeline safety in general. The following response broadly describes the major aspects of pipeline safety that have been incorporated into the design, operation and maintenance of the Bennett Creek pipelines.

**Response:** Pipeline safety is predominantly focused upon prevention of abnormal incidents associated with the pipeline's operation. Additionally, for those occasions where unforeseen events create an abnormal situation, emergency response procedures to minimize the impacts are also established.

As a matter of background, portions of the pipeline system between Windsor's lease pad in Line Creek and the termination of the pipeline at Elk Basin are subject to regulation under the Department of Transportation's regulations for transportation of oil in pipelines (49 CFR Part 192) and for transportation of gas in pipelines (49 CFR Part 195). The line segments that exist within the legal limits of the Line Creek Subdivision have been determined to be subject to the regulations. The portions of the pipeline that do not exist within the designated Line Creek subdivision are not subject to these rules; however, Windsor will voluntarily apply the DOT regulations in regard to pipeline design and construction to the entire pipeline for consistency of the overall safety management of the pipelines.

### Pipe Material (Manufacturer's Specifications)

Pipe specifications used for the respective oil and gas pipelines have been selected for its intended application. The pipe material meets or exceeds DOT requirements for oil and gas

transportation and has sufficient wall thickness and adequate external protection to serve its intended purpose. The 10" pipe has been determined to be manufactured to API 5L X-42 (42,000 psi yield strength) material. The 4" oil pipe has been determined to be manufactured to ASTM A53 Grade B (65,000 psi yield strength). Both material specifications are listed by DOT as acceptable materials for oil and gas transportation. These material standards assure that the pipe material is chemically compatible with the contents of the lines.

#### Voluntary Independent Lab Testing of Pipe Materials

To verify manufacturer's specifications, Windsor has voluntarily submitted representative samples of each pipe to independent laboratories for verification of the manufacturer's specifications. This verification is conducted in the form of tensile strength tests and metallurgical tests. In both cases, the independent lab tests confirm that the pipe material exceeds manufacturer's specifications for tensile test and conform to proper metallurgy dictated by the pipe specifications.

#### Pipe Wall Thickness

The 12" and the 4" pipe both have been manufactured to a wall thickness of 0.188". This wall thickness specification was used in establishing maximum allowable working pressure (MAWP) as further described below. The wall thickness has been determined to be far in excess of that required to operate the 2 lines at their expected operating pressures.

#### Pipe Welding During Installation

Only qualified welders will be used to perform welding on the pipe. Qualification requirements are established by the DOT regulations. Welders are qualified under the procedures established under API (American Petroleum Institute) Standard 1104. This is the applicable standard dictated by DOT regulations.

#### Non-Destructive Testing of Welds

The segments of pipeline traversing the Line Creek subdivision are subject to DOT regulations. This area is classified as a "DOT Class 1" location, based on population density criteria established by the regulation. Pipe inside Class 1 areas must have at least 10% of welds non-destructively tested. This is done using conventional weld x-ray techniques. As a matter of added safety, Windsor will go far beyond regulatory requirements by having 100% of all welds within and adjacent to the Line Creek subdivision x-rayed.

#### Pipe External Coating

Both lines are coated and wrapped with an external coating material prior to being installed. This external coating protects the pipe walls from external corrosion.

#### Two Pipelines to Be Installed in Same Corridor/Excavation

Windsor intends to install both pipelines within the same ditch. This configuration has the advantage of minimizing the "footprint" of area occupied by the lines and thereby minimizes the exposure to the public.

#### Design Safety Factor = 0.60 (40% safety margin)

For DOT-regulated pipelines in Class 1 areas, the Maximum Allowable Working Pressure (MAWP) of the pipeline must be limited utilizing a Design Safety Factor of 0.72 (28% safety margin). Windsor will operate beyond regulatory requirements by voluntarily limiting MAWP on the basis of a Class 2 area using a design safety factor of 0.60 (40% safety margin).

#### Hydrostatic Testing for Establishing MAWP

Prior to commencement of operation, Windsor will verify integrity of the pipe by performing a hydrotest to a pressure that is 125% of the MAWP. For the oil and gas pipelines between the lease pad and the Central Station (including the entirety of the Line Creek Subdivision), that hydrotest will be performed in the range of 625-750 psig, which will establish the MAWP to 500-600 psig maximum. For the portion of the gas pipeline that is downstream of the Central Station compression, the line will be hydrotested to 1,102 psig, which will establish a MAWP of 881 psig.

#### Normal Operating Pressure to be Well Below MAWP

Windsor expects to operate the oil and gas pipelines between the lease pad and the Central Station (including the entirety of the Line Creek Subdivision) at approximately 200 psig at the lease pad location, well below the MAWP established by the hydrotest of 625-750 psig. Additionally, Windsor expects to operate the gas pipeline downstream of the Central Station at approximately 300 psig, likewise well below the MAWP established by the hydrotest of 1,102 psig.

#### Internal Pipeline Inspection Capability

Both pipelines are being designed and equipped with facilities at each end of the segments to allow insertion of internal inspection tools that are designed to traverse the entire pipeline segment length and continuously record the physical conditions of the pipe segment. So-called “smart-pigs” can be used to perform these internal electronic inspections.

#### Overpressure Protection

The oil and gas pipelines between the well pad and the Central Station will be protected by “high’low” wellhead valves and pressure relief valves physically located on the production equipment (separators) at the lease location. These “high-low” valves are designed to shut off flow from the wells if they detect abnormal operating pressures. The “high” setting will result in shut in of well production in the event an overpressure situation is detected. The pressure relief valves provide an extra measure of protection and will be set above the high valve setting but far below the failure pressure of the pipe itself.

Overpressure protection of the oil pipeline, in particular, is inherently addressed by the fact that the oil pipeline will terminate into atmospheric-pressure crude oil stock tanks at the Central Station. These tanks inherently assure that any overpressure situation in the oil line is eliminated by the fact that the end of this line segment is open to atmospheric pressure thereby assuring that any pressure is continuously relieved into the stock tanks at the Central Station.

In regard to the gas pipeline between the Central Station and the termination at Elk Basin, the pipe will be protected by relief valves on the compressor and Central Station dehydrator, as well as a shutdown device on the compressor which will shut down the compressor on detection of high discharge pressure.

#### Manual Pressure Relief (Bleed-Down) Valves

All pipeline segments are being equipped with manual valves, which can be functioned by the pipeline operator to relieve any undesired pressure in the pipeline in a controlled fashion. Each end of each pipeline segment is equipped accordingly in order that pressure could be relieved from both ends simultaneously, or only at a single end, depending upon the situation at hand.

#### Internal Cleaning of Pipelines

All pipeline segments are equipped with devices that allow insertion of internal cleaning devices that will mechanically scrape the inside pipe walls of debris and materials, as well as push any corrosive material and fluids from the pipe segments. This process, referred to as “pigging” the lines, will be conducted as operating experience dictates.

#### Internal Corrosion Monitoring

All pipeline segments are being equipped with connections that allow sampling of fluid entering and leaving each pipe segment and provide for the insertion of corrosion “coupons” to assess rates of corrosion over a period of time. Periodic sampling of the fluids for corrosive components and corrosion products utilizing an independent lab will provide quantitative analyses to assess rates of corrosion. Connections are also provided to allow injection of anti-corrosion chemicals should an unacceptable corrosion rate be encountered. Injection of such chemicals would be performed as lab results dictate. The chemical nature of the production fluids anticipated from the Bennett Creek development is considered favorable, thus internal corrosion is expected to be negligible.

#### External Corrosion Protection and Monitoring

In addition to the previously-mentioned external wrapping, all pipeline segments will be protected with a cathodic protection system. These systems will protect the lines from electrical corrosion caused by small electrical potential differences between the pipe material and the surrounding soil.

The degree of protection needed will be determined after the pipeline construction is completed, when an independent contractor specializing in cathodic protection surveys will perform the initial “baseline” survey. Results of this baseline survey will dictate the location and magnitude of protective facilities. Protective facilities would either be sacrificial anodes buried below surface or an impressed current rectifier. Test stations (also referred to as “test leads”) are being installed at periodic intervals along each pipeline segment, which allow for surface access to the buried pipe in order to electrically measure potential differences between the pipe and the surrounding soil.

Annual re-surveys will be conducted to assess changes in protection and identify locations where protection needs to be enhanced. Each pipeline segment will be electrically insulated from the

production facilities at the ends of each segment in order to prevent the production facilities from becoming a source of potential “drain” from the cathodic protection systems. The CP systems will therefore be entirely and solely dedicated to the underground pipelines because of the insulation fittings.

#### Emergency Response Plans

Windsor has revised the emergency response plan for the pipelines that establishes procedures and notifications for abnormal events associated with the pipeline operations, including the hauling of liquid hydrocarbons. These procedures will address safe shut-in of the pipelines where required, as well as a listing of all pertinent response contractors and response agencies (fire department, police, public officials, etc.).

The Emergency Response Plan is available online at:

<http://www.wy.blm.gov/nepa/cyfodocs/bennettcreek>, as well as available by request from the Cody Field Office. Commentors who expressed this concern were sent a revised copy of the plan.

#### Public Awareness

In accordance with DOT regulations, Windsor will prepare and conduct a Baseline Public Awareness program to alert members of the public of pertinent safety and response information involving the pipelines. This communication will occur prior to start-up of the pipeline’s operation. The public awareness program will largely be in the form of written communications and notices, however, public meetings will be held if deemed necessary.

The public awareness program will focus upon communications to the following logical segments of the public:

1. The affected public
2. Local public officials
3. Emergency Officials
4. Excavators

Guidelines for communication to these 4 distinct audiences are defined in American Petroleum Institute’s Recommended Practice RP 1162. Ongoing outreach will involve re-communicating to members of the public on an annual or bi-annual basis as prescribed by DOT’s regulations.

#### Encroachment Management (Damage Prevention Program)

Windsor has enrolled these pipelines into the Wyoming One-Call service. This state-wide service is universally used by construction contractors, utility companies, oil and gas companies and others who will be performing excavations within the state. This service provides a uniform mapping of all underground utilities and pipelines throughout the state. Excavators are prohibited from commencing their activities until potentially affected parties are notified with a minimum 48 hours notice. In the case of the Bennett Creek lines, our exact pipeline locations will be registered and mapped within Wyoming One-Call’s database. Anyone who performs excavations within ¼ mile of our pipelines will create an automatic notification to Windsor. Windsor will

continuously monitor all such notifications and respond within 48 hours by marking the exact location of our lines using surface flags to delineate areas which cannot be excavated with mechanical equipment. In the event that such activity involves excavation within 10' of the pipelines, Windsor will provide an onsite representative to witness the excavation activity and ensure the excavator does not jeopardize the lines. Additionally, manual digging will be required when a close approach to the pipelines is made.

#### Depth of Burial (Cover)

Windsor will voluntarily exceed DOT depth of burial requirements for the pipeline segments. The lines will be located in a DOT Class 1 location, which requires a depth of burial of 30" in normal unconsolidated soil and 18" in consolidated rock. Windsor will voluntarily apply DOT Class 2 depth of burial requirements as an extra degree of safety that will mandate a depth of burial of 36" in unconsolidated soil and 30" in consolidated rock. All dimensions stated are measured from surface to the top of the pipe. This additional coverage will provide an extra measure of protection from other excavations in the area of the lines by parties other than Windsor.

#### Surface Identification (Signage) of Pipeline Location

To provide for continuous visual location of the subsurface lines, Windsor will place line markers directly over the pipeline at frequent intervals. Line markers will be placed at all road and driveway crossings and at all points necessary to readily identify the presence of the line. Line markers will be spaced such that at least one marker can be seen on a line-of-sight basis from any location along the pipeline.

Each line marker will be identical in size, color and height and will contain the name of the operator and a designated telephone number to call for an emergency event.

#### Manual Block Valves

Each end of each pipeline segment will be equipped with manual block valves. These valves will allow a knowledgeable operator to independently isolate the lines, in the event of failure, from sources of production in order to terminate a spill event and arrest release of pipeline contents to the environment.

**Comment #32:** A number of commentors expressed a concern about pipeline safety with regards to leaks, explosions, etc., and said that placement of pipelines in the Clark area or next to roads in the Clark area is inappropriate because of the population. One commentor felt that if an accident were to happen in the Clark area, the chances for death from an accident is highly increased.

**Response:** Most urban areas are served by high pressure gas transmission lines, including the City of Cody, which has four gas transmission pipelines within/near the City limits, where there are higher population densities than in the Clark area. Gas transmission lines also commonly cross/parallel existing roads and highways throughout the United States. According to Energy West, which operates gas transmission pipelines in the Cody area, pipeline damage enough to rupture a pipeline rarely occurs from the pipeline itself failing. If there is a rupture, it typically

comes from an outside source such as a backhoe accidentally digging into a pipeline. The pipeline portion on public land will be adequately signed, and future construction activities that could affect the pipeline from outside sources on public land are usually known in advance.

**Comment #33:** One commentor questioned the viability of the statistics in the EA regarding there being no deaths from pipelines in the states of Oklahoma and Wyoming for the past three years, since the pipeline grant is issued for 30 years. This commentor also inquired about spills, injuries and property damage within this timeframe.

**Response:** According to the US Department of Transportation Office of Pipeline Safety, there have been two (2) fatalities and seven (7) injuries since 1995 in the entire state of Wyoming where over 19,122 miles of transmission pipelines exist. Both fatalities and one of the injuries on record resulted from one incident in which the cause was listed as damage by outside forces. The operator of this pipeline was Frannie-Deaver Utilities and the incident occurred on 06/25/2001. See info from the Office of Pipeline Safety for statistics for Wyoming available online at [http://primis.phmsa.dot.gov/comm/StatePages/htmGen/WY\\_detail1.html](http://primis.phmsa.dot.gov/comm/StatePages/htmGen/WY_detail1.html)

**Comment #34:** One individual was concerned that associated reference material for the statement in the EA regarding a three year record of no deaths from pipeline accidents in Oklahoma and Wyoming is not on file at the Cody Office.

**Response:** The reference for this statistic is a letter from C.L. Frates and Company, which is included in Appendix C of the EA. This information can also be found on the pipeline safety statistics for Wyoming [http://primis.phmsa.dot.gov/comm/StatePages/htmGen/WY\\_detail1.html](http://primis.phmsa.dot.gov/comm/StatePages/htmGen/WY_detail1.html) These statistics go back to 1995.

**Comment #35:** Some commentors expressed concern that Windsor's Emergency Response Plan does not adequately protect the public.

**Response:** Windsor has revised the Plan, and the BLM believes it is adequate for the portion of the pipeline on public land. See *Emergency Response Plan, Windsor Wyoming L.L.C.*, dated 12/27/2005, which is available online at <http://www.wy.blm.gov/nepa/cyfdocs/bennettcreek>, as well as available by request from the Cody Field Office. Commentors who expressed this concern were sent a revised copy of the plan. Windsor will have the plan in place prior to putting pipeline in service as per DOT regulations. Windsor has developed this revised document with the assistance and input of the Clark Fire District and Park County Emergency Response Coordinator in order to assure that Windsor's emergency response management systems and planned tactical responses are appropriate and properly coordinated with Park County emergency response agencies.

**Comment #36:** A number of commentors pointed out that there are no evacuation routes specified in the Emergency Response Plan.

**Response:** While evacuation is generally considered a response of last resort, Windsor has reviewed the road layout and possible evacuation routes within the Line Creek subdivision area

with Park County Emergency Response personnel, who would be responsible for ordering an evacuation in consultation with the County Sheriff, District Fire Chief, and Windsor. At least one path of evacuation has been identified from any single point along the pipeline right-of-way and involves using one of the three crossover sites to Louis L'Amour Lane as the means of escape. This is shown on a map included in the revised Emergency Response Plan. Evacuation of citizens would involve escort by emergency responders to ensure evacuees remain well away from danger. Evacuation guidance will be provided to Line Creek Subdivision residents as part of Windsor's continuing education (Public Awareness) program.

**Comment #37:** Some people felt that emergency responders were too far away and wanted to know what the estimated time to respond to an emergency is?

**Response:** Windsor will relocate their primary operator from Cody to Clark. Also, Windsor will have personnel within the operating area during most normal business hours to respond to an emergency. On occasions (particularly during non-business hours) that Windsor does not have on-site presence, Windsor has the capability to remotely shut in well head production upon notice of a pipeline emergency such as a line failure, using radio technology to trigger shut in from a base station in Cody. The response time of a remote signal to shut in production will achieve production shut-in within seconds of sending the signal.

Windsor is equipping the pipelines with pressure detection devices that will detect a low pressure condition indicative of a pipeline failure and immediately automatically shut in wells. Once detected, automatic well production shut-in will be completed within a matter of seconds after a low-pressure situation is detected.

Fire and medical response is available within minutes by the Park County Fire Protection District #4 in Clark. Firefighters and EMTs are available from the group of volunteers who staff this district. Supplementary assistance from three other Park Country locales (Powell, Cody and Meeteetse) can arrive as soon as 45 minutes from request.

**Comment #38:** Members of the public wanted to know if there was any assurance that emergency response training would be conducted?

**Response:** Windsor operators are required to be trained in Emergency Response Procedures and their understanding of the procedures must be verified, in accordance with the Department of Transportation regulation 42 CFR 192.615(b)(2). The State of Wyoming Public Services Commission has jurisdictional authority in the state to enforce all DOT regulations. The PSC has informed Windsor that they intend to conduct annual audits of Windsor's compliance with DOT rules, including operator training of Emergency Response procedures. Windsor intends to conduct and document the training for inspection by the state auditors.

**Comment #39:** Some individuals believe that local fire protection units do not have enough equipment to respond in the event of an emergency.

**Response:** Park County Fire Protection District #4 based in Clark has 3 firefighting units immediately in the Clark vicinity. Additionally they maintain 1 mobile medical unit (fully-equipped ambulance) for personnel injuries. The 4 fire protection districts within Park County have executed “mutual aid” agreements among themselves. These agreements grant each district the ability to solicit additional equipment and personnel from other districts if an event exceeds the ability of a district to respond adequately. The Fire Chief of District #4 has the authority to solicit such equipment and trained personnel if he encounters an event on Windsor’s facilities and pipelines that require additional assistance.

**Comment #40:** One commentor stated that automated shut off valves should be in place?

**Response:** The design of Windsor’s operations will include automatic shut-off valves, which will shut down production from all wells in the event an abnormal operating pressure is detected in the pipelines. The automatic shutoff valves will be triggered to a closed position if excessive pressure is detected in either line in order to prevent an “overpressure” situation that would risk the integrity of the pipelines. Additionally, the pipeline pressure detection devices will close the automatic valves in the event an abnormally low pressure is detected (an indication of possible pipeline failure).

**Comment #41:** Members of the public wanted to know what detection system would be in place for leaks, other than visual inspection.

**Response:** Department of Transportation regulation 49 CFR 195.412(a) requires surface patrolling of the pipeline right-of-way at least 26 times per year. The patrolling requires a visual inspection of the surface conditions on an adjacent to the right-of-way. Within the Line Creek Subdivision, Windsor will exceed the DOT requirements by conducting hydrocarbon leak detection surveys in addition to the visual inspection.

The pipelines will also be equipped with pressure sensing devices. These devices will be calibrated to a pre-determined setting that will trigger automatic shut-in of well production into the pipelines if the designated low pressure setting is detected. Windsor will also have the capability to monitor pipeline pressures and flow rates remotely from a remote base station using radio telemetry technology, and volume measurements on both ends of the pipelines can be compared to identify possible leaks.

Windsor will also rely on members of the public to alert Windsor of any suspected pipeline leaks they observe. Windsor will conduct a public awareness continuing education program to advise members of the public on how to identify and report a suspected leak. This communication will be conducted as required by the Department of Transportation regulations 49 CFR 192.616 and 49 CFR 195.440.

**Comment #42:** One individual wanted to know who will insure 30 years from now there will be inspections?

**Response:** Assuming there will be a need for the pipeline 30 years in the future, no one can guarantee or insure there will be inspections of a specific duration or frequency. However, Department of Transportation regulation 29 CFR 195.412(a) requires surface patrolling of the pipeline right-of-way at least 26 times per year. The patrolling requires a visual inspection of the surface conditions on and adjacent to the right-of-way. The visual inspection is intended to identify any indications of leaks, construction activity or any activity that could become a risk to the pipelines. Windsor will exceed the DOT requirements by conducting the inspection on the DOT segments of the lines at least weekly.

Department of Transportation regulations 49 CFR 192.613(a) requires Windsor to have a continuing surveillance program to assure long-term integrity of the pipelines. Windsor has or will adopt a number of industry design standards and operating and maintenance procedures to assure long-term pipeline integrity including:

- Weekly surface patrols.
- Cathodic protection system installations
- Annual Cathodic protection system surveys to verify level of protection.
- Monitoring of internal corrosion rates using corrosion coupons.
- Application of internal corrosion inhibitors if necessary to arrest corrosion if detected.
- Minimization of corrosion risk by removing water at the lease pad to prevent it from entering the pipelines.
- All pipe welds will be 100% x-rayed through DOT segments, far exceeding DOT requirements of 10% x-ray frequency.
- Participation in Wyoming One-call to minimize risk of 3<sup>rd</sup> party damage.
- Installation of highly visible surface signage above both lines to identify presence of lines and emergency call telephone number.
- Capability to internally clean pipelines utilizing internal scraper devices as necessary to remove potentially corrosive products.
- Ability to internally inspect the pipelines utilizing electronic survey tools.
- Hydrotesting line at pressure levels exceeding DOT requirements.
- Pipe strength and wall thickness design far exceeds that needed for anticipated operating conditions.
- All pipe will be externally coated and wrapped prior to burial for protection from external corrosive elements.
- Pipe burial depth meets or exceeds DOT requirements.
- External inspection of pipe and outer protective wrapping whenever a section is exposed for any reason.
- Control systems and safety devices integrated into equipment design to ensure operating conditions remain well within design ranges of pipeline.

In addition, the BLM typically does periodic compliance inspections on pipeline projects.

**Comment #43:** One individual asked how often Windsor would test for Hydrogen Sulfide (H<sub>2</sub>S)? Another asked how proof would be provided that H<sub>2</sub>S does not exist at the site.

**Response:** While drilling results thus far have shown that H<sub>2</sub>S is not present in the oil and gas that will be produced, Windsor will test the gas stream for H<sub>2</sub>S at least monthly, via the gas analysis/ chromatographs performed at the well site(s), and also at the inlet to Anadarko's Elk Basin Plant.

## Rehabilitation

**Comment #44:** One commentor asked why divoting equipment is not mentioned for rehabilitating the land surface after construction.

**Response:** Divoting or soil pitting was considered and would probably be best suited for the eastern portion of the pipeline if it were used. Based on recent results of soil pitting on a pipeline right-of-way south of Cody, we believe the best land restoration practice for this pipeline project will involve mulching with straw, similar to methods used by the Wyoming State Highway Department on highway rights-of-way.

**Comment #45:** Some commentors were concerned about vegetation recovery after construction and resulting long term scars.

**Response:** Vegetation should recover as it has on the existing pipeline route the project will follow (see Fig. 5). The project area is in a low annual precipitation zone with high winds at times, which have a drying effect on young grass seedlings. Re-vegetation success is greatly dependent on adequate spring moisture. During drought years with little spring moisture, re-vegetation progress may be slow or non-existent.

## Traffic

**Comment #46:** One individual was concerned with the establishment/enforcement of road speed limits.

**Response:** The Park County's Sheriff's Department is the legal authority for County roads which already have posted speed limits. Windsor's pipeline construction inspector will have general oversight of construction crews and the BLM will monitor vehicle use on federal land.

**Comment #47:** One individual asked how the EA could state that traffic will be delayed from 10-45 minutes when the county permit states one lane of traffic shall be maintained at all times.

**Response:** Delays could result from accommodating two-way traffic on one lane and moving construction equipment.

**Comment #48:** A member of the public was concerned about vibration of the pipeline due to vehicle traffic.

**Response:** Installation and ditch preparation standards for this pipe are directly comparable to pipe installed in dense urban communities' streets and roads where significant vehicular traffic commonly occurs (sewer pipe, storm drainage pipe, fresh water pipe, gas pipe, cable conduit, etc.). These standards are used throughout the oil and gas pipeline industry across the country. Windsor does not anticipate any abnormal vibration effects or risks on the installed pipelines along any of the roads.

## **Bonding**

**Comment #49:** Several members of the public asked about bonding and the amount of bond.

**Response:** There will be a bond requirement. An initial amount of approximately \$30,000 would be required for the proposed pipeline portion crossing federal land. As reclamation occurs, the bond amount may be reduced.

## **Noise/Air quality**

**Comment #50:** One commentor expressed a belief that the Central Station compressor station compressor(s) will be diesel powered and that local air quality could suffer.

**Response:** See Section 3.9, page 44, paragraph 3 of the EA. The compressor engines will be powered by natural gas. Up to 3 natural gas engines have been permitted to operate at the Central Station site by the Wyoming Department of Environmental Quality. The WDEQ has established performance standards for engine emissions. Windsor will be required, by permit condition, to have an independent testing company approved by the WDEQ perform emissions testing on an annual basis to verify compliance with the WDEQ emissions limitations.

**Comment #51:** One commentor indicated additional compressor stations may be required and that these compressors are not addressed in the environmental assessment.

**Response:** These types of details are not addressed because the Central Station compressor station is on private land where the BLM has no legal jurisdiction. As stated in the EA, many of the Central Station details were included to give the public a better understanding of the overall project.

**Comment #52:** The noise issues section of the EA states that the nearest resident would experience a noise level in the range of 10 to 50 dbA, and examples of noise levels of everyday appliances were provided as a comparison. Some commentors held the belief that it is unacceptable for the residents within that range to have to live with the sound of refrigerator,

washing machine or air conditioner running 24/7 and that noise level itself is a significant impact to the human environment.

**Response:** This comment pertains to the Central Station compressor station on private land, and is outside the scope of analysis. These appliances are everyday ones that the majority of the population lives with on a daily basis. This information was included so the public could have a better understanding of the overall project and have something as a means for comparison. In addition, as indicated in the table, a quiet library is 40 dbA. Anticipated noise levels are expected to be only slightly higher than ambient noise levels in the area.

As discussed in the EA, noise impact from the pipeline project where it crosses public land would be of a short duration during construction and have a minor impact.

**Comment #53:** Who determines “modest” sound disturbances? Disturbances should be considered per site area because of narrow valley and close proximity to residences at the Bennett Creek Site.

**Response:** When sound disturbances are near ambient levels, by most people’s standards, they would be considered “modest” or “minimal.” The pipeline project crossing public land is anticipated to produce noise disturbances near ambient levels for nearby residents after construction is finished.

## **Applicant Issues**

### **Qualifications/Past History/Responsibility**

**Comment #54:** One individual wanted to know what assurances are there that Windsor will comply with oral promises made regarding pipeline installation? Another individual wanted to know who will assure that commitments stated in the EA would be kept.

**Response:** There are no oral agreements associated with the permit that the BLM will issue for the proposed project, nor are there oral agreements with other regulatory agencies regarding the pipeline that the BLM is aware of. All agreements are written in the form of permits, plans, agency restrictions, etc. Windsor has entered into written agreements with several agencies, and if they were not to comply with these agreements, they could face consequences that may be in the form of fines, penalties, suspension of permits, etc.

This issue is already addressed in EA – see regulatory agencies involved in approving project and monitoring compliance.

**Comment #55:** One individual inquired as to whether or not Windsor would share reserve and financial data, and future development plans?

**Response:** Reserve information and future development and exploration plans are confidential and privileged at this time, although Windsor has made known its intentions to drill the Crosby well(s) west of the Bennett Creek pad.

**Comment #56:** A member of the public asked if Windsor would let a citizens group monitor the project?

**Response:** Windsor has indicated that citizens groups have no basis in monitoring this project, and that Windsor will install and operate the pipeline pursuant to the rules, regulations, and permit conditions of the appropriate agencies and surface owners.

**Comment #57:** One commentor wanted to know who is responsible for private property losses/damage that may occur during this project?

**Response:** To the extent damages occur, Windsor will be responsible for those that are their fault or the fault of their contractors, and there is liability insurance in place to cover significant losses. Disputes regarding liability for damages would need to be adjudicated by a court of competent jurisdiction.

**Comment #58:** Some commentors were concerned that Windsor does not have the technical and financial capability to successfully complete this project?

**Response:** Windsor meets the qualifications under 43 CFR 2884 to hold a right-of-way across public land. The BLM believes the pipeline construction contractor (Brandon Construction of Powell, Wyoming) is capable of constructing the pipeline, and that Windsor's local representatives are capable of operating it. A land reclamation bond will be required as part of the right-of-way terms and conditions. Additionally, a portion of the pipeline has already been constructed on private land. On a broader scale, Windsor has developed oil and gas holdings in Park County and Powder River, Wyoming.

Therefore, the BLM believes that Windsor has met all technical and financial requirements associated with their application. The other Federal and state agencies involved in pipeline permitting will assess Windsor's technical and financial capabilities against their legal requirements.

**Comment #59:** Some commentors hold the opinion that Windsor does not have a good track record at the Bennett Creek well pad and other areas and does not have the technical capability needed to hold a right-of-way grant.

**Response:** Operations at the Bennett Creek well pad are under the oversight of the Wyoming Oil and Gas Conservation Commission and the Wyoming Department of Environmental Quality (WDEQ). The BLM is aware that Windsor has been in violation of compliance with each of

these agencies in the past. In each instance, Windsor has worked with the agency and taken mitigative measures to resolve issue(s) at hand. As far as we know, Windsor is not currently under any order to take further corrective action.

Windsor has made significant changes at their Bennett Creek well pad (on State land), and we have no reason to believe there will be problems with the pipeline project across public land.

## **Resource Protection Issues**

### **Cultural/Native American**

**Comment #60:** Some commentors indicated that a more detailed project map should be included in the cultural studies.

**Response:** The cultural project map is the same as the pipeline map. Specific information about cultural sites is not available to the general public.

**Comment #61:** Some commentors thought that the project boundaries of the cultural resource inventory should be more clearly defined.

**Response:** Boundaries for the cultural inventory were 50 feet either side of the pipeline center line. All cultural resources within this corridor have been identified. If there are other sites known to Clark residents which are outside this corridor they would not have been identified during the inventory unless they were identified first within the corridor and their boundary extends outside the pipeline survey area.

**Comment #62:** A commentor pointed out that one cultural site was discovered in close proximity to the pipeline as part of the inventory, and it was avoided by Windsor through project design modification. This commentor indicated that at least four (4) sites have been located by local citizens within the first mile of the proposed pipeline across the BLM land just east of the Line Creek Subdivision mailboxes. One of these sites is known as a human burial site.

**Response:** The area in question has been inventoried three (3) times by professional archaeologists and no mention or identification of a burial location has been identified. If those individuals commenting would volunteer to take a professional archaeologist to the burial location, perhaps this issue could be resolved. If previously undiscovered sites are identified as a result of construction activities, there are provisions to suspend operations until protective measures can be taken.

**Comment #63:** One commentor pointed out that the road into the lower Line Creek subdivision is situated in an area with intact stone circles.

**Response:** These have been identified.

**Comment #64:** One member of the public stated that the rock cairns along the road itself were derived from many stone circles. This commentor felt that, although many of the stone circles have been moved, the cultural site remains and should be noted as such and surveyed. The commentor asked if these sites have been surveyed.

**Response:** Removing stones from a stone circle site essentially destroys the site and is an illegal activity. Once stones are removed and the site is destroyed, the site no longer exists and would be most difficult to identify or locate.

**Comment #65:** Some individuals inquired as to who, and how many people, conducted the cultural resource surveys.

**Response:** High Country Archaeology and Terra Alta Archaeology conducted the cultural inventories. The number of field crews used during the inventory are left to the discretion of the company conducting the inventory, but typically two (2) to three (3) persons would be employed for this type of effort.

**Comment #66:** Some members of the public wanted to know which archeologists were involved in the survey, and what their credentials are.

**Response:** High Country Archaeology's principle investigator is Patricia Carender Eggleston and Terra Alta's principle investigator is Allan R. Burns. Both Terra Alta and High Country are BLM permitted cultural resource firms. Their credentials are evaluated by the Wyoming State Office of the BLM in Cheyenne. Permits to conduct work are issued by the Wyoming State office upon determination that a firm has the appropriate credentials.

**Comment #67:** One individual inquired as to whether local Clark citizens, familiar with the area, were contacted and used to inventory known sites.

**Response:** Who was contacted, by whom, and to what use any derived information was put is unknown to the Cody Field Office.

**Comment #68:** Some members of the public asked if consultations have been done with Native American tribes, and inquired as to which individuals or groups from the tribes were consulted.

**Response:** Native American tribes have been consulted and their input considered. The Tribal Councils from eighteen tribes were sent consultation letters initially in April, 2005. The geographically closest Tribes consulted were the Crow, Shoshone, Arapaho, and Northern Cheyenne. Nine of the eighteen tribes were sent additional letters (with a site description and maps) concerning an archeological site near the proposed pipeline route. The Arapaho Tribe visited the site on June 1, 2005, and indicated they had no concerns, provided the pipeline was built as proposed on public land. The Blackfeet Tribe declined to comment, and the Confederated Salish and Kootenai Tribes deferred to local Tribes' input.

**Comment #69:** Some commentors asked how much time was given for the Tribes to respond and who responded from the Tribes.

**Response:** The BLM has not set a formal deadline for a response. The BLM asked for an initial response within 30 days of the recipient receiving each letter. The following individuals responded from the tribes.

Arapaho – Joann White

Shoshone- Richard Ferris

Salish/Kootenai- Francis Auld

Blackfeet-John Murray

**Comment #70:** One individual asked if the tribes were told about the burial site, and asked who is in charge of monitoring the burial site and other sites along the proposed route.

**Response:** As indicated above, no burial site was or has been identified; therefore, no mention of a burial site was made during consultation efforts. Identified sites are monitored during construction, and periodically thereafter, by BLM personnel and the local interested public. There is no formal post-construction monitoring plan for this project.

**Comment #71:** A commentor inquired about which State of Wyoming Statutes and federal statutes (NAGPRA) are involved and wanted to know if these statutes have been observed.

**Response:** We assume this question is directed toward ascertaining which statutes apply as far as cultural resources are concerned. State of Wyoming Statutes do not apply to a federal undertaking for cultural resources. While there are many federal statutes which may apply, the following are primary; The Federal Land Policy and Management Act, The Archeological Resource Protection Act, The National Environmental Policy Act, The National Historic Preservation Act, as amended, The Archeological Resources Protection Act, The Historic Sites Act, and the Antiquities Act. Various Executive Orders may also apply. The Native American Graves Protection and Repatriation Act (NAGPRA) would only apply if items of cultural patrimony or burials were involved. All of these statutes have been followed, where appropriate.

**Comment #72:** A member of the public asked about which State of Wyoming and Federal entities are required to be notified with respect to archaeological sites and burial sites, and what permits have been secured.

**Response:** For federal undertakings as defined in the National Historic Preservation Act, Sec. 301(7) the BLM, for most actions, consults with the State Historic Preservation Officer concerning project effects, site importance, and mitigation strategies if appropriate. While consultation is an important part of project consideration, the Cody Field Manager retains decision making responsibility and authority.

If a burial (visible human remains) is located, there are several things which occur. First the area is protected and guarded. The Cody Field Manager is notified. The BLM Law enforcement ranger is notified. The county coroner and local law enforcement are notified. A qualified

archaeologist is also notified. All of these individuals then visit the site. The first determination is whether the burial is a law enforcement issue or not. If not, the second determination is the general age of the burial, and is it Native American. If the latter, then NAGPRA may apply. If NAGPRA applies, the BLM consults with Native Americans in an attempt to ascertain cultural/tribal affiliation of the remains. The BLM's policy is to leave human remains where they are, unless there are other factors which require the removal to another location.

The State of Wyoming has no permitting authority for federal lands, nor does Wyoming have any cultural resource permitting at all. Permits authorizing cultural resource inventory on federal lands for federal undertaking can be obtained by application to the BLM Wyoming State Office in Cheyenne. The BLM State Office determines who is qualified to be issued a Cultural Resource Use Permit (CRUP). If qualified, an applicant may be issued a permit. CRUP's have been obtained by both High Country Archaeology and Terra Alta Archaeology.

**Comment #73:** One commentor asked if the sites still being used for religious ceremonies were noted as such, and if new sites were found from the current survey?

**Response:** No sites currently being used for ceremonial purposes were identified during the inventory. If those responding have information concerning where and by whom these activities are taking place, the BLM would certainly like to know so that these factors can be considered. If the second question asks if there were new ceremonial sites identified, the answer is no. If the question is "were new sites identified during the inventory," the answer is yes.

**Comment #74:** Some commentors wanted to know if sites from older surveys were reviewed?

**Response:** Sites identified by older work were reviewed, and if these sites were thought to be located within the pipeline corridor, or likely to be directly affected by it, they were revisited.

**Comment #75:** Members of the public asked how Windsor proposes to protect cultural sites during the proposed pipeline construction.

**Response:** Windsor has incorporated a number of project design features into their proposed project to protect cultural sites during construction. These can be found in Section 2.2.2, under the subheading Cultural/Historical Resources, on Page 26 of the EA, as well as in Windsor's Plan of Development, which is on file at the Cody BLM Field Office.

**Comment #76:** One individual inquired as to whether or not any plans have been furnished for protection from damage and looting of cultural sites during construction.

**Response:** Please see response to #63 above. It also appears that damage and looting have already happened at some sites.

**Comment #77:** One commentor stated that the pipeline (area near the mail boxes of Line Creek Subdivision) is in an area of many cultural sites known by local citizens, and asked if this area has been surveyed in a Class III Cultural Resource Inventory? This commentor also asked if the

pipeline contractor from Powell, Wyoming, who would be handling the construction, has ever worked within areas with abundant cultural sites, and wanted to know what experience he has and where are his qualifications are listed?

**Response:** This area was inventoried and a site was recorded. The BLM does not select the pipeline contractor, nor do we review their qualifications for cultural resources. Therefore, we have no information concerning the contractor's expertise or qualifications.

**Comment #78:** Local people have placed rock piles along the north side of the road in recent years. These rock piles would be removed and either buried when filling the trench, scattered to appear as natural as possible or hauled off with appropriate approval. Reflector posts would be installed in place of the rock piles to assist local residents with visibility during winter weather. One commentor pointed out that these rock piles are the rocks from stone circles in this cultural site and expressed a belief that the entire area should be surveyed in a Class III Cultural Resource Inventory to establish what artifacts are in the proposed pipeline route before any construction moves forward. This commentor felt that the above-mentioned ways of dealing with these rocks is inappropriate and unacceptable.

**Response:** The act of removing the stones (if from an archaeological site on BLM surface is an illegal activity) has, in effect, destroyed the sites and any information that may have been contained within the site. The sites no longer exist because the physical manifestations have been removed. If they are not present they cannot be identified during an inventory. This area was included within the cultural resource inventory, and no additional rings were located beyond those described in the reports.

The rocks taken from the stone rings and used to make piles along the road are now just rocks with no associated information, context, importance, or information potential. They have become no different than other rocks strewn about the landscape. Therefore the manner described for dealing with the rocks in question is entirely appropriate and acceptable from an archaeological and cultural resource compliance perspective.

## **Wildlife/Vegetation/Threatened, Endangered and Sensitive Species**

**Comment #79:** The US Fish and Wildlife Service (USF&W) commented that the EA needs to better indicate the determinations made about how this project relates to species protected under the Endangered Species Act, the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, and the Fish and Wildlife Coordination Act.

**Response:** A letter from BLM to USF&W (on file at the Cody BLM Field Office) addressed each of the comments provided by USF&W. Although the EA does not provide a clear indication of the areas analyzed to determine potential affects to wildlife from this proposed pipeline, a map showing wildlife habitat ranges and locations of specific habitat features was prepared to be used with the EA. Because this map had specific locations of raptor nests and sage grouse leks, it was not included in the EA available for public review. The BLM provided this map to the USF&W Cheyenne Field Office to show the area that was assessed for this

project. Although only available information could be used, the private lands associated with this project were reviewed for wildlife resources and habitat features along with BLM managed public lands. Potentially affected habitat for wildlife was assessed for a distance of 3 miles on both sides of the proposed pipeline routes. Because the entire pipeline is an interrelated and interdependent action, the environmental analysis did cover private land wildlife resources as well as public lands resources using the best available information. However, extensive surveys were not conducted on private lands.

Seasonal restrictions that would be included as conditions of approval for this pipeline construction will provide protection for nesting bird habitat on both public and private lands. The project was determined not to have any affects to any listed, proposed, or candidate species protected under the ESA for the entire route. Bald eagles do use some areas along the Clark's Fork of the Yellowstone River as winter roosting sites, but these are not located within 3 miles of the pipeline proposed route. A potential golden eagle nest site on public lands near the western part of the proposed pipeline route would be protected with a seasonal restriction unless surveys indicate that the site is not occupied during the nesting period (approximately Feb 1 to July 31).

Active raptor nests - The map showing wildlife habitat features was not included in the EA as stated in #1. The USF&W was provided with a copy of that Map. None of the known raptor nesting locations has been used by either bald eagles or ferruginous hawks at any time in the past and there are no known locations of nest sites for either of these species within 5 miles of the proposed pipeline route. The BLM does use the larger buffer zones for seasonal restrictions at nest sites for these species.

Sage Grouse lek sites and nesting habitat protective buffer zones - As indicated, the map showing sage grouse habitat was provided to the USF&W. Based on current information, we believe that the grouse population in the Clark area is non-migratory. The sagebrush nesting habitat along the proposed pipeline route is not uniformly distributed and in many areas within the 2 mile lek buffer zones the sagebrush is very marginally suited as sage grouse nesting cover based on interagency guidelines. The proposed pipeline route was selected in part because it follows a pre-existing and previously disturbed right-of-way that would minimize the amount of sagebrush and shrub cover that would be disturbed. The maximum total amount of acres of public land on which vegetation could potentially be disturbed is 27.3 acres. The actual area in which vegetation will be uprooted is estimated at 1.5 acres and only a portion of that amount would be in sagebrush that could provide sage grouse nesting cover. A seasonal restriction would be applied to limit disturbance during the nesting period (Mar 1 – June 15) in certain areas. A large portion of the area within the 2 nesting buffer zone around lek sites is private land on which the BLM has no authority to apply no surface occupancy restrictions. To suggest that a 2 mile no surface occupancy zone be applied to potential sage grouse nesting habitat does not make sense for this proposed pipeline where the total amount of habitat that might be affected is less than 1.5 acres in an area that is composed of marginally suitable sagebrush habitat. As mentioned, the proposed route was selected because it does not go through or disturb areas where the taller and denser sagebrush cover is present. Activities associated with the project would be planned to avoid disturbance of sagebrush habitat and could be seasonally restricted to minimize impacts to sage grouse, but those activities would not affect areas greater than 2 miles from the proposed

pipeline route so expanding sage grouse buffer zones out to a 3 mile radius from lek sites would not provide any additional protection to habitat that could potentially be affected by this project and because of the non uniform distribution of sagebrush in this area, this additional buffer would not include any significant amount of suitable grouse nesting habitat. This is evidenced on the map with sage grouse habitat areas delineated, which will be provided to USFWS.

Grizzly bears and wolves - Because the potential for grizzly bears or wolves to occur in the project area is low and seasonal restrictions for other wildlife will limit the timing of construction activities to periods when wolves and grizzly bears are primarily using higher elevation habitats conflicts are not expected. A notification requirement will be included as a condition of project authorization if either species is observed or signs of occupation are noted during project construction. Should it be needed, the BLM could implement additional measures to reduce potential for conflicts. Currently there are no requirements for conflict prevention measures to be implemented on private or state lands and there has been no history of conflicts in the Clark areas with either grizzly bears or wolves. The Clark landfill operated by Park county is adjacent to the project as are many private residences. Conflict preventative measures have been only minimally used in these areas. Education methods to provide information about these species to project workers will be implemented. Proper garbage and food storage measures for project work will be provided as information by BLM.

Ground nesting birds - The applied seasonal restriction to protect nesting habitat for long-billed curlews and mountain plovers is indicated on page 39 section 3.2. The restricted period for these species is April 10 to July 10. Because nesting habitat is broken and discontinuous and much of the proposed route is not suitable for these species, the option of doing surveys ahead of any proposed construction activities would be considered as an option. The BLM would have to approve this option based on proposed work locations, trained and skilled biologists available to do the surveys, and the suitability of habitat at the locations to support other migratory nesting birds. The BLM realizes that the Migratory Bird Treaty Act also provides for protection of most bird species during the nesting periods but with seasonal restriction applied for raptors, sage grouse and long-billed curlews/mountain plovers almost all of the public lands and some of the private lands along the pipeline route will have seasonal restrictions. Much of the remaining portion of the pipeline route is highly altered agricultural land or sparsely vegetated rangeland that would support very few migratory bird species during nesting periods. Windsor would be notified of the requirements to protect migratory birds along the entire route and avoidance of activities during nesting periods suggested. However, the BLM has limited authority to prevent activities on private lands if the company is willing and able to conduct pre-work surveys to identify areas where work would not impact nesting birds. The wildlife habitat analysis map, showing the portions of the pipeline covered by seasonal restrictions and approximate mapped nesting habitat areas, will be provided to the USFWS.

Bald Eagle nests and roosts - The analysis areas were not clearly indicated in the EA. The wildlife concerns map that was provided to the USFWS and shows the area analyzed. There were no known bald eagle nest sites or roosts within 3 miles of the proposed pipeline route.

Sage grouse and raptor concerns - The wildlife analysis map that was provided to the USFWS should clarify the occurrence of raptor nest sites and sage grouse lek sites in the analysis area. Restrictions would be applied as previously indicated for these features and buffer zones around them as shown on the wildlife concerns map.

Plants - The EA is hereby corrected to reflect that neither Blowout Penstemon nor Ute ladies Tresses have been documented or known to occur in northwest Wyoming and potentially suitable habitat is not found in the project area. All wetland areas that could be impacted by this project have been identified and surveyed for sensitive plants with negative results.

**Comment #80:** One member of the public inquired as to whether or not anyone surveyed for the three sensitive vegetation species listed on P. 49 of the EA during their appropriate growing seasons.

**Response:** No surveys were conducted, as no potential suitable habitat for the species exists within the project area (See Page 50 of the EA).

**Comment #81:** Some members of the public had concerns about Windsor observing restrictions for the protection of sensitive species. One member of the public asked what the actual window for construction of the pipeline is, so wildlife isn't disturbed and to prevent rutting of wet land (not allowed to operate when 4" ruts can be made). This commentor pointed out that during construction of the Windsor pipeline across private land, ruts deeper than 4" were certainly made.

**Response:** See Section 2.2.2 Wildlife and page 39 of the EA for wildlife restrictions. On federal lands, construction of the pipeline creating approximately 4-inch deep ruts would result in a temporary halt of operations until soil conditions supported operations without rutting of that depth.

**Comment #82:** One individual inquired about who the qualified and BLM approved biologist monitoring impacted wildlife sites would be and how often the monitoring would be done.

**Response:** Dennis Seville, BLM Wildlife Biologist, would have the initial responsibility of identifying and/or monitoring wildlife sites that could potentially be impacted. If deemed necessary, Windsor would be required by the BLM to hire a biologist for the purposes of wildlife monitoring. Credentials of the biologist would be approved by the BLM prior to the commencement of monitoring efforts. At this time, no sites that would require contractor monitoring have been identified.

**Comment #83:** One individual pointed out that EA makes no mention of mountain lions and inquired as to whether or not there have been any current field studies regarding wildlife in the area because the EA information appears to be from literature only.

**Response:** Mountain lions do occur in the area; however, they are a mobile species and would not be affected by project operations. No formal wildlife surveys have been conducted recently;

however, information in the EA comes from years of data accumulation of field observations made by Cody Field Office Staff.

## **Range/Vegetation**

**Comment #84:** One commentor referenced the statement from page 58, 3<sup>rd</sup> paragraph of the EA – “...conversion of mature shrubs and forbs to more succulent shrubs and forbs.” This individual agreed that the conclusion that this will make better grazing is probably true: however, this area will be more severely grazed because of its palatability, so restrictions in grazing will be required to maintain growth in disturbed areas. The commentor felt that this will affect grazing allotments and permittees.

**Response:** T. 58 N., R. 102 W. S. 32: Spirit Basin Allotment (03021) has been relinquished and grazing is not currently authorized in this area. No affect to grazing operations is expected.

T. 57 N., R. 102 W., S. 4: This is in the Sugarloaf Pasture of the Bennett Creek Allotment (03007). This pasture is used every other spring (5/1 through 6/1) in rotation with the Repac Pasture (the second year is rested). Although it is possible for the pipeline to become attractive to livestock, the season of use would not likely make it much less so since, under normal conditions, the entire range is green at this time of year and palatable vegetation is available outside the disturbance. If there is a need to provide additional rest for the establishment of vegetation along the pipeline, the rotation could be temporarily altered to provide it with little interference to the lessee's operation. The nearest available water is Line Creek which is about 0.9 mile away which places this site at a point nearly completely opposite from the water source.

T. 58 N., R. 100 W.S. 20 W½: Hill Pasture of the Clark Allotment (01076). This allotment is managed under a three pasture deferred rotation. Under this management, there should be adequate rest and recovery of the vegetation along the pipeline with only one year in three used in the spring.

Remaining sections: Stateline Allotment (01003) Silvertip Pasture. The pasture is management under a two pasture deferred grazing rotation. This rotation is probably the one that is least favorable to vegetation establishment on the pipeline. However, there are a large number of pipelines, roads and well pads in this area which would be equally attractive to livestock. This disturbance would only be one of many on a site that was disturbed in the past. There does not appear to be any reason in this particular case to interfere with the grazing operators management for this one development.

Grazing use under proper management has generally not been found to interfere with establishment of vegetation on pipelines. The need to modify a grazing rotation to accommodate such disturbances has not come up as an issue. Potential of the site, existing problems with weeds and drought have been a greater deterrent to successful establishment of vegetation along these disturbances. Proof of this is the proposed route of the pipeline. Grazing activities occurred when these lines were established, likely with less desirable management than occurs now. Yet they were successfully vegetated with native species and in some areas are difficult to

distinguish from the rest of the range. There is no reason to believe that the range would be any less able to do so again under current grazing management.

**Comment #85:** One commentor asked how long it takes for sagebrush to reach its current height.

**Response:** Approximately 40 years or longer.

## **Water Quality**

**Comment #86:** Some commentors were concerned about the potential for contamination of water wells to the north if a spill occurs.

**Response:** The pipeline carrying liquid hydrocarbon between the well pad and the Central Station is 4" nominal pipe (4 ½" outside diameter, 0.188" wall thickness) with an internal diameter of 4.124". The pipeline is approximately 3½ miles long. Approximately 1 mile of this segment (29% of the pipeline length) transverses Line Creek subdivision. The total capacity of the pipe at 100% full is determined to be 305 barrels.

According to USGS topographic maps, the elevation of the liquid hydrocarbon pipeline running through Line Creek Subdivision ranges from about 5,200' at the well pad down to 4,900' at the mailboxes. At the termination of the oil line at the Central Station stock tanks, the elevation is approximately 4,450', several hundred feet lower in elevation than the lowest point in Line Creek Subdivision. Therefore, there is a significant elevation drop between Line Creek subdivision and the Central station crude oil tanks.

Any failure of the pipeline within Line Creek would result in all oil in the pipeline from the point of failure and eastward to gravity-feed downhill toward the atmospheric crude tanks at the Central Station. Everything uphill from the point of failure (westward) would be expected to be spilled. The "worst case" situation for the Line Creek subdivision residents would be a spill near the mailboxes at the east end of Line Creek subdivision. This would be 29% of the volume of the pipeline, or 88 barrels, assuming production would be shut in automatically from low pressure detection. This is about ½ of a load for a typical crude oil transport truck. Lesser amounts would be lost should the failure occur west of that point at higher elevations within the Line Creek subdivision.

A large rupture of the liquid hydrocarbon pipeline will be very noticeable (either a pressure drop or surface evidence) and addressed quickly, probably within hours or a few days.

Windsor will conduct formal (documented) patrols of the pipeline near the subdivision at least weekly. Practically speaking, the line near the subdivision will be inspected almost every day due to the daily presence of the Windsor operator. The pipeline will be "sniffed" approximately every 14 days with a hydrocarbon detector device that is able to detect extremely small levels of vapor, which surfaces even when there is no visual indication of a leak. Windsor will rely on these patrols and inspections, along with observations and notification from any residents or

member of the public, to visually detect the presence of a small leak that might occur. Additionally, Windsor will equip the pipeline with a pressure detection device that will automatically trip the well production closed in the event of a detected loss of pressure, indicative of a line leak.

Windsor contracted the engineering services of Terracon of Billings, Montana in order to determine the potential effect of a “pinhole” leak in the pipeline on wells in the area. The methodology and results of this study are on file at the Cody Field Office. Terracon considered the geologic setting of Line Creek Subdivision in order to determine the ability of both crude oil and a liquid hydrocarbon with the viscosity of water to move laterally and vertically in the local soil and rock.

A comparison of the flow from a pinhole leak to the vertical percolation and lateral flow capability of the local soil and bedrock indicates that: 1.) a pinhole leak would overwhelm the trench backfill and local soil and follow the path of least resistance toward the surface, and 2.) The leak should be readily detected either visually or using a sniffer during the survey conducted approximately every 14 days. Detection would occur well before the liquid hydrocarbons have time to reach any nearby ground water well. This allows sufficient time for clean up before there is potential for contamination of groundwater wells from a pipeline leak. The time period for lateral flow from a pinhole leak to reach the nearest water wells is estimated to be on the order of months.

In the event of a leak, Windsor has prepared detailed emergency response procedures (*Emergency Response Plan, Windsor Wyoming LLC*, dated December 27, 2005) to rapidly react and respond to arrest a leak and clean up any free oil and remediate contaminated soil.

## **Recreation**

**Comment #87:** Some individuals pointed out that on page 42, several references are made in the EA as to how the project could disrupt the quality of recreation activities, then the EA dismisses the disruption by stating that “with avoidance measures, no measurable impacts to recreation activities or resources would occur during operations or following completion of the project.” These commentors asked for a confirmation of what the “avoidance measure” is and who will monitor it.

**Response:** The avoidance measures are incorporated as project design features and are listed under Section 2.2.2 Recreation/Wilderness. Contractor’s crew supervisors will monitor it, as well as a BLM representative.

## Socio-economic Issues

### Oil and Gas potential

**Comment #88:** One commentor indicated that, without information on the estimated amount of gas available, the EA is incomplete.

**Response:** See #55 for answer.

**Comment #89:** Some members of the public commented on the statement contained on Page 6 of the EA regarding the project being located in an area identified by the Cody RMP as having high potential for hydrocarbons. One commentor believes that past wells in the Line Creek area have produced at best marginally, and that Windsor Wyoming has not revealed any significant discoveries.

**Response:** The term “high potential” for hydrocarbons is commonly used whenever conditions may be conducive to hydrocarbon occurrence at depth; it is not used to estimate the economic feasibility of potential hydrocarbon production in a given area. It is somewhat synonymous with the term “prospectively valuable” also used in mineral potential classification. As stated in BLM Manual 3021 – “Lands underlain by sedimentary rock shall be classified as prospectively valuable for oil and gas on the basis of thickness and depth of sedimentary rocks, a favorable structural setting, and evidence of oil and gas potential.” This manual establishes minimum thickness for this classification at 1000 feet, and maximum depth at 35,000 feet. It also states that “Oil seeps, oil or gas shows in well tests, and past and present production constitute direct evidence of oil and gas potential. Indirect evidence may include seismic information, similarity with known producing rocks, or acceptable levels of thermal maturation. Either direct or indirect evidence may be used in classification”. Where there is a thick, lithologically diverse sedimentary section adjacent to a Laramide mountain front, it is probably common for a baseline determination of a “high potential for hydrocarbons” to be put forth in a mineral potential assessment.

### Property Values

**Comment #90:** A number of commentors expressed a belief that many property owners within the pipeline project area will be/or have already been negatively affected by industrial development in their back yards, and that the EA does not adequately address property value impacts from the pipeline project.

**Response:** The landowners crossed by the pipeline have all been compensated for the easement each has granted Windsor. It is possible that this particular concern may be for property owners that are not crossed by the pipeline, but have property near the pipeline. None of the comments provided any data or information such as a real estate appraisal concerning the proposed pipeline as it relates to a decrease in private property values. If the intent of the comments was directed more towards oil and gas development in general, the concern is outside the scope of this EA.

**Comment #91:** One member of the public wanted to know who all the realtors and appraisers listed as consulted were and if they were even located in Wyoming?

**Response:** The realtors are listed below and are all located in the state of Wyoming.

Butch Bopp, QM Appraisals

Donna Rice, Wyoming Real Estate Commission

Lonnie Elliot, Elliot and Associates

Pat Parsoneault, Wyoming Department of Revenue

## **Requested Information**

**Comment #92:** One commentor pointed out the EA states that information and data supporting the analysis and subsequent conclusions presented and referenced in the document are contained in the project file located at the Cody BLM office. However, upon request of information from the Cody Office, this commentor found that personal communication references regarding real estate and property values were not available. The commentor went on to state that as of Monday, October 17, 2005, not all of the requested information had been supplied to his/her organization, and this diminishes the public's ability to comment effectively during the period allotted for public comment.

**Response:** The commentor requested references listed in the References Cited Section of the EA as personal communications. These personal communications were made by the contractor preparing the EA, Dixie Environmental Services Co. (DESCO) from their office located in Magnolia, TX. These references were not contained in the project file in the Cody Field Office, rather in the project file maintained by DESCO. This commentor requested the personal communication references from Tanya Matherne of DESCO on the afternoon of Thursday, October 13, 2005, a few days before the comment deadline. Ms. Matherne was out of the office Thursday afternoon, Friday, and most of the day Monday, and emailed the references to the commentor on Tuesday (Oct. 18, 2005) afternoon. Ms. Matherne also sent the commentor an email on Sunday as a courtesy to let the person know that she was out of the office and would send them as soon as possible.

## **Changes/Modifications/Corrections/Errata to the EA**

The EA is hereby modified as follows:

**Page 4, Paragraph 1, Numbered list of processing and transportation options:** Option number 2 currently states "A new plant would be built in the area to process the natural gas." This sentence is hereby amended to read, "A new plant would be built in the area to process the natural gas if future production can justify it."

**Page 8, Section 1.6 Purpose and Need for Proposed Action:** Paragraph 3 presently states that the Energy Information Administration (May 2001) projected a 52% increase in domestic consumption of natural gas by the year 2020. Based on updated information from the Energy Information Administration's Report #: DOE/EIA-0484 "International Energy Outlook 2005" (released on July of 2005 and available online at [www.eia.doe.gov](http://www.eia.doe.gov)), this statement is hereby amended to read "U.S. demand for natural gas continues to rise, according to the Energy Information Administration (2005), and a 70% increase in domestic consumption is expected between 2002 and 2025."

**Page 17, Section 2.1.4 (add) to Section 2.1 - Other Alternatives Considered but Not Analyzed In Detail**

The other access road alternatives shown below were considered but were not analyzed in detail. This section was inadvertently left out of the EA.

**Alternative – Use County Road 8VEN to access Park County landfill property and then build/upgrade a road to Windsor's private property containing the Central Station Compressor facility.** This would involve activities that would not be compatible with operations at the Clark landfill. The proposed right-of-way across BLM land allows access to County property such that the access road to Central Station is able to be sited on the east side of the landfill where there is not a conflict.

**Alternative – Acquire/use access from existing roads to the east.** This would involve substantial road improvement and longer hauling distances. Additionally, the road system serves a rural residential area containing homes and increased traffic was a concern for local residents.

**Alternative - Move Central Station further east so that access across BLM land would not be needed.** See section 2.1.3, page 17. This alternative was not considered economically feasible.

**Page 49, Section 3.11.3 Threatened, Endangered, and Sensitive Species:** The first two paragraphs of this section are hereby removed and replaced with the following verbiage: Neither Blowout Penstemon nor Ute Ladies Tresses have been documented or known to occur in northwest Wyoming and potentially suitable habitat is not found in the project area.

**Page 62, Section 3.20 Environmental Justice:** First sentence of the second paragraph in this section states that "The proposed project area is largely unpopulated." This sentence is hereby amended to read, "With the exception of Line Creek Subdivision, the proposed project area is largely unpopulated."

**Page 68, Section 10 References:** The soil mapping units included in Table 9 are at a 1:100,000 scale; however, the reference cited for this information indicates that it is at a 1:500,000 scale. This reference is incorrect. The reference currently in the EA for Munn is hereby changed to:

Munn, Larry C. and Arneson, Christopher S., 1999, *Draft 1:100,000-Scale Digital Soils Map of Park County*: University of Wyoming Agricultural Experiment Station.  
<URL:<http://www.sdvc.uwyo.edu/100k/soil100.html>>

**References Cited:** The following reference is hereby added to the EA:

Energy Information Administration. July 2005. Report #: DOE/EIA-0484 (2005) *International Energy Outlook 2005*. URL: <http://www.eia.doe.gov>

**Emergency Response Plan:** Windsor's Emergency Response Plan was revised. The new plan titled *Emergency Response Plan, Windsor Wyoming L.L.C.*, dated 12/27/2005 is hereby incorporated into the proposed action, replacing the plan referenced in the EA.

## Appendix B: Finding of No Significant Impact (FONSI)

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Based on my review of the information and analysis in Environmental Assessment WY-020-EA05-032, I have determined that the three rights-of-way associated with the Bennett Creek Pipeline Project as identified in the attached Decision Records are not major federal actions that will significantly affect the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement (EIS) will not be prepared. I base this finding on the following:

1. ***The effects of this action are not significant in the context that effects are localized, with implications for only the immediate area during a relatively short period of time.*** The direct, indirect, and cumulative effects resulting from the proposed action and alternatives were analyzed, evaluated, and disclosed in the EA. Those effects, all of which were determined to be insignificant, were major considerations influencing our decisions.
2. ***Impacts (effects) may be both beneficial and adverse.*** I considered beneficial and adverse effects associated with the alternatives as presented in the EA. The beneficial effects of the action do not bias my finding of no significant environmental effects. The effects are within the range of effects identified in the Cody Resource Management Plan. Effects resulting from the rights-of-way actions are not unique to this specific pipeline project. Numerous previous pipeline projects involving similar activities have demonstrated that such activity results in non-significant effects. On the basis of the analysis documented in the EA, in conjunction with the documented effects of past pipeline projects, I conclude that the direct, indirect, and cumulative effects on natural resources, public land users, and private landowners, as well as on the social and economic values associated with this project are not significant.
3. ***There will be no significant effects on public health and safety.*** I have considered the potential effects of this pipeline project on public health and safety, and have determined that the selected actions as described in the Decision Records will have no significant effects on public health or public safety. Project design features are included to adequately protect public and private land users from safety risks associated with pipeline construction and operation activity. Based on demonstrated effects of historical pipeline activity in the region, and specific field analysis, I have concluded the risk to domestic water supplies is negligible from a pipeline liquid hydrocarbon leak.
4. ***There will be no significant effects on unique characteristics of the geographic area such as proximity to historic or cultural resources, parkland, prime farmlands, cave resources, wetlands, wild and scenic rivers, inventoried roadless areas, wilderness areas or ecologically critical areas.*** The pipeline actions described will not affect any unique characteristics or features of the geographic area over the long term. Areas that could potentially be impacted by pipeline activity have been inventoried for historic and cultural resources, and all areas containing such resources will be avoided. There is no parkland or prime farmlands located on public lands within the project area, and pipeline activities on public lands will not affect parklands or private farmlands. Project design features described in the EA are in place to provide for protection of, stream courses, springs, wells, wetlands, and riparian areas. There are no cave resources, wild and scenic rivers, or inventoried roadless areas within the project area.

There will be no effects on congressionally designated wilderness areas as the project is located outside any designated wilderness areas.

There will be no significant effects on wildlife populations or ecologically critical wildlife areas such as wildlife crucial wintering areas or wildlife birthing/nesting areas.

5. ***The effects on the quality of the human environment are not likely to be highly controversial.*** There is no known scientific controversy over the impacts of the project. The expected effects associated with the implementation of the selected pipeline related actions are disclosed in the EA. The basic data and relationships are sufficiently well established in the respective sciences for me to make a reasoned choice between the alternatives, and to adequately assess and disclose the possible adverse environmental consequences. Although there is disagreement by some members of the public over whether this pipeline project is compatible with land uses in the Clark area, the environmental effects from such projects are well understood. (Disagreement over the decision itself does not constitute controversy for determining significance under 40 CFR 1508.27.)
6. ***The possible effects of this action on the human environment are not uncertain, and do not involve unique or unknown risks.*** The Cody Field Office has considerable experience with pipeline projects. The selected pipeline/road actions as authorized are similar to many past pipeline/road actions on public lands with similar resource values and considerations. Based on the results of past actions and technical and professional insight and experience, I am confident that I adequately understand the effects of the project on the human environment. Based on the site-specific analysis in the EA, there are no unique or unusual characteristics about the area or decisions as described that are highly uncertain, unique, or that would indicate an unknown risk to the human environment.
7. ***The action is not likely to establish a precedent for future actions with significant effects or represent a decision in principle about future considerations.*** The project is similar to other pipeline projects that have previously occurred on public lands, and the consequences of those actions have been insignificant. The action does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. The pipeline project itself does not inevitably lead to future oil and gas development in the Clark area. Any future oil/gas development proposals would require a new site-specific analysis and a new decision based on that site specific analysis.
8. ***The cumulative impacts are not significant*** The authorized pipeline project actions will have insignificant short/long term direct effects to resources and land users. The effects of this single project, when viewed in the context of its effects being added to the combined effects of other past, present, and reasonably foreseeable future activities in all jurisdictions (Federal, State, and private), are not expected to have any significant additive effects over the long-term.
9. ***The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. This action will also not cause loss or destruction of significant scientific, cultural or historic resources.*** This is because all districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places will be avoided. In addition, the proposal meets the requirement of all laws and regulations relating to the protection of scientific, historical and cultural heritage resources. An inventory of historical and

cultural resources has been completed for all areas that may be potentially affected by this proposal. The BLM made a reasonable and good faith effort to identify all known Native American traditional and historic properties of religious, cultural, and spiritual significance. Consultation was initiated, and comments were requested from eighteen Native American Tribes. All known heritage resources will be avoided and therefore will not be affected by proposed pipeline activities. Any new sites discovered as a result of construction will be dealt with appropriately. Coordination with the Wyoming State Historic Preservation Officer occurred with this project, and the State Historic Preservation Officer concurred with our findings and recommendations.

**10. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** The authorized pipeline project is not expected to adversely affect any threatened or endangered wildlife species or its habitat that have been determined to be critical under the ESA of 1973. No threatened or endangered species of plants are known to be present.

**11. The action will not violate Federal, State, or local laws or requirements imposed for protection of the environment.** The pipeline project actions as authorized comply with all federal, state, and local laws and requirements for the protection of the environment. Applicable laws and regulations were major considerations in formulation of all aspects of the EA including but not limited to: Mineral Leasing Act, Clean Water Act, Clean Air Act, Endangered Species Act, National Historic Preservation Act, Federal Land Policy and Management Act, National Environmental Policy Act, Code of Federal Regulations, and Executive Orders 11988 and 11990 dealing with floodplains and wetlands. The decisions as described in the Decision Record are consistent with the direction, standards, and guidelines outlined in the Cody Resource Management Plan.

USDI Bureau of Land Management  
Cody Field Office

Michael J. Blymyer      3/3/2006  
Date

Michael J. Blymyer  
Field Manager

**EMERGENCY RESPONSE PLAN**

**WINDSOR WYOMING LLC**

**DECEMBER, 2005**

**EMERGENCY RESPONSE PLAN**  
**WINDSOR WYOMING LLC**

**ANNUAL EMERGENCY RESPONSE PLAN REVIEW**

***REVIEWED BY:***

***DATE:***

**CALENDAR YEAR 2006**

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**CALENDAR YEAR 2007**

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**CALENDAR YEAR 2008**

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**CALENDAR YEAR 2010**

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**CALENDAR YEAR 2011**

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**EMERGENCY RESPONSE PLAN**  
**WINDSOR WYOMING LLC**  
**DECEMBER, 2005**

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## **100 Purpose**

The purpose of this manual is to serve the following objectives:

1. Provide written guidance and procedures for assuring effective emergency response to operational emergencies involving Windsor Wyoming LLC's liquid hydrocarbon and gas facilities and pipelines by operational personnel.
2. Serves as the basis for training affected personnel in effective responses.
3. Establishes a written document for communicating to fire, police, regulatory agencies, contractors and other support personnel who may assist in responding to emergencies.
4. Establishes general guidance to protect residents near Windsor facilities
5. Establishes documentation and procedures necessary to meet various regulatory compliance requirements for governmental agencies having regulatory authority of Windsor's operations.

Effective emergency response is recognized to be necessary for the following priorities:

- Protection of personnel and the public from physical harm.
- Minimizing extent and risk of property from damage.
- Minimizing adverse impacts on the local environment.

Throughout this document, "Windsor" is used to refer to Windsor Wyoming LLC.

"Windsor" also refers to the Management and/or employees of Windsor.

"Windsor representatives" refer to individuals who are providing direct operating and maintenance services, engineering, technical, consultation and/or management services to Windsor. These individuals are often providing such services under contract arrangements.

This manual is intended to be a working document for Windsor and emergency response agencies to properly and effectively manage emergency events. It is recognized that the contents of this manual are subject to change and improvement at any time. Accordingly, it will be reviewed for content and updated as necessary at least annually with no review interval to exceed 15 months.

## 200 Scope

This manual has been prepared to primarily cover Windsor's liquid hydrocarbon and gas production operations within the Park County, Wyoming operating area. This would necessarily involve emergency events and response at these physical locations:

- Lease production sites
- Central facility sites
- Pipeline right-of-ways
- Areas accessible to the public (e.g. roads)

Various equipment that could be involved in these locations includes, but is not limited to:

- Compression equipment
- Fired equipment (heaters and boilers)
- Gas treating and processing equipment
- Liquid hydrocarbon storage tankage
- Water storage tankage
- Liquid hydrocarbon gathering pipelines
- Natural gas gathering pipelines
- Miscellaneous piping, valves, fittings and controls

The contents of this manual have been prepared to include the emergency preparedness and response requirements of jurisdictional pipelines subject to regulation by the Federal Department of Transportation.:

- 49 CFR Part 192 Transportation of Natural and Other Gas by Pipeline
- 49 CFR Part 195 Transportation Hazardous Liquids by Pipeline

Windsor may from time-to-time elect to expand the scope of this manual to facilities beyond Park County, Wyoming. To the extent that the scope is expanded, changes to this manual and contact list may be made as necessary.

## **300 Prevention**

While emergency response procedures are necessary to minimize risk of an adverse event, Windsor places primary consideration on steps to prevent adverse incidents from occurring.

Preventive steps surround adequate design, safe operations and sound preventive maintenance and inspection activities. The underlying principles instituted by Windsor in minimizing the risk of an adverse event are:

### **Design**

1. Production equipment acquired for the operations is purchased from known and established suppliers and manufacturers who have proven designs for liquid hydrocarbon and gas production equipment. All production equipment is specified and manufactured to meet or exceed published codes and engineering standards.
2. Pipe purchased for pipelines meets or exceeds the design specifications for liquid hydrocarbon and gas service designated by DOT's regulations 49 CFR Part 192 and Part 195.
3. Automated and automatic safety systems and controls are integrated into production facility and pipeline system design. Such equipment is intended to detect abnormal operating procedures and automatically function to mitigate or prevent an emergency event from occurring.
4. All surface production equipment will be function-tested and calibrated as necessary prior to placing into operation to endure it is operating within intended operating conditions.
5. Liquid hydrocarbon and gas pipelines will be pressure tested to 125% of maximum allowable working (operating) pressure (MAWP).

### **Operations**

1. Windsor Operators are trained and qualified to operate and maintain the equipment and pipelines.
2. Daily surveillance of operating conditions is performed by Windsor operators to ensure equipment is operating within safe design range.
3. Remote monitoring of operating conditions is conducted using technology designed to allow for unattended operation of the pipelines and facilities.
4. Operating equipment contains pressure, temperature and flow rate gages, recorders and measurement devices used by operators to ensure operating parameters are maintained within design ranges.

### **Preventive Maintenance and Inspection**

1. Control equipment is calibrated on a frequency as needed to ensure all equipment remains operating within its design range.

### **300 Prevention (cont.)**

2. Rotating equipment such as engines, compressors motors and pumps undergo scheduled preventive maintenance to ensure safety and longevity.
3. Equipment is inspected during shutdowns to evaluate wear and tear. Replacement parts are installed as needed.
4. Windsor will create and maintain an adequate fire break surrounding its facilities to assure a safe margin from fire risks from external threats such as grass or prairie fires. Maintenance of fire breaks will include continuous weed control surrounding above-ground facilities.
5. As required by the Environmental Protection Agency's regulations, CFR 40 Part 112, Windsor has prepared a Spill Prevention, Control and Counter Measure Plan (SPCC Plan) for the Bennett Creek Field. This plan emphasizes the prevention of spills and also provides all the required control and cleanup direction if a spill should occur.

## **400    *General Emergency Response Guidelines (Management Systems)***

Windsor has adopted general guidelines and principles which will serve as a basis for managing emergencies associated with their operations.

Sections 400.1 through 400.10 describe those essential management systems and principles in place to assure effective management of emergencies.

Specific tactical procedures for the most probable emergency events that could occur within Windsor's operations are detailed in Section 500 of this manual.

#### **400.1 Receiving, Identifying and Classifying Notices Requiring Response**

Windsor will retain an on-site operator during normal business hours, whenever unusual operating conditions are experienced or whenever unique or non-routine operations are underway. This operator is trained to identify and recognize emergency conditions and take appropriate actions to avoid or mitigate an emergency.

For non-business hours and occasions where a Windsor operator may not be present in the area, Windsor will retain a 24-hour-per day, 365-day-per-year contracted answering service that will initially receive, identify and classify all incoming calls for emergency events. The live receptionist will be trained to record pertinent initial information from any caller and immediately contact a qualified Windsor representative or operator.

The minimum information the answering service will be required to obtain:

1. Time and date of call. (Receive)
2. Caller's Name and affiliation. (Identify)
3. Caller's Telephone number (Identify)
4. Brief description of the nature of the observed event (Classify)
5. Understanding of any personal injuries or adversely-affected individuals as a consequence of the emergency. (Classify)

Windsor will ensure that at least one qualified production operator is on call 24 hours per day, 365 days per year. The central answering service receptionist will be knowledgeable at all times of the individual operator within Windsor who is responsible reacting to an emergency event.

The answering service receptionist is instructed to immediately contact the on-call Windsor operator with known information.

#### **400.2 Communication with Fire, Police and Public Officials**

Windsor will retain a current list of telephone numbers of all first responders associated with fire, police and public officials. This list will be reviewed at least annually to ensure that the contact list remains current. The list will become a permanent and essential part of this Emergency Response Plan as an attachment to the plan.

Windsor will retain at least 3 means of verbal electronic communication with such agencies and officials to ensure redundancy. Contact with such agencies and officials in the event of an emergency will be performed by cell phone and two different radio systems.

Furthermore, in the preparation of this plan, Windsor will also contact fire, police and public officials and provide appropriate personnel with a copy of this ERP for their review and critique, with particular focus on the Park County Fire Protection District #4 based in Clark, Wyoming. Such advanced communication will serve as an effective planning process and educational opportunity for such agencies in advance of an actual event, and help to increase effectiveness of these agencies should they ever be needed.

To assure the safety of response personnel in responding to an emergency, Windsor recognizes that the primary emergency response personnel (Park County Fire District) must not enter any facility without direct communication with a knowledgeable facility operator. Accordingly, Windsor will pre-arrange a safe muster point (meeting location) for each facility where response personnel will stand by until conditions have been declared safe for entry by the Windsor operator.

In addition to retaining current contact lists, Windsor will periodically communicate with pertinent agencies to update them on Windsor activities.

### **400.3 Response to Notice of Emergency**

Upon receiving initial information regarding an incident either directly from a caller or from the answering service (see section 400.1), the Incident Command System will be implemented.

The overlying strategies in responding to emergencies will involve:

- Protecting people, including residents and emergency responders.
- Notifying and mobilizing appropriate personnel and agencies as quickly as feasible.
- Isolating the source of the risk to prevent expansion in magnitude of the event.
- De-energizing equipment as appropriate.

The on-call Windsor operator will immediately mobilize toward the scene of the emergency event. As necessary, he will contact the original caller to further define and establish the nature of the event. From verbal information he receives from the answering service and the original caller, the Windsor operator will assess the significance and identify and classify the nature of the event. (fire, spill, atmospheric release, personnel injury, etc.). To the extent necessary, and based on his knowledge of the emergency situation to that point, he may mobilize additional response personnel (fire department, County Sheriff, medical services, contractors, etc.) in-route as he deems necessary before actually arriving at the scene of the emergency, if they had not already been notified by a member of the public. It should be recognized that a call for assistance to 9-1-1 automatically triggers an immediate mobilization action by the Park County Fire Protection District, Park County Sheriff and emergency medical services with this 9-1-1 call. .

The first responder on scene is designated as the Initial Response Incident Commander. Command will be transferred to a higher authority upon his arrival. A unified command may be established, if needed. Specific tactical actions such as fire-fighting, medical treatment or traffic control will become the responsibility of the respective operational branch directors of the responding agencies. Windsor will not direct specific and detailed actions of these professionals but will communicate with them as needed and requested to ensure that proper actions are being taken from safe locations and without placing these professional responders at risk.

Upon arrival at the scene, the Windsor operator will take the appropriate steps in response to the emergency based on known circumstances. Procedural steps are further defined in Section 500 of this manual and are dependent on the nature and magnitude of the emergency.

#### **400.4 Availability of Personnel, Equipment, Tools and Materials**

At least one knowledgeable and qualified operator will be available to respond to emergencies 24 hours per day, 365 days per year. This person will be deeply familiar with response management systems and detailed procedures covered by this Emergency Response Plan.

Most importantly, he will be familiar with the immediate steps necessary to protect personnel and members of the public from harm. He will also be trained and proficient at recognizing the steps needed to terminate the emergency event in the safest and most timely means possible. As Windsor's on-site representative during an emergency, he will be responsible for constantly communicating with outside response personnel (e.g. fire department) to advise them of conditions which will permit their response to proceed in a safe manner and advise them of conditions which would prohibit their approach to the scene of an emergency.

The Windsor operator will be equipped at all times with the proper tools and equipment in his work vehicle to shut down and de-pressure any equipment or otherwise render it to a safe and stable condition.

Windsor will rely on specialized contractors in the Park County vicinity for personnel, services, equipment and materials which are beyond Windsor's capabilities. Contracted services such as earthwork, heavy lifting equipment, hydrocarbon liquids spill containment, liquid hydrocarbon spill cleanup, manual labor, and welding services will be acquired from local contractors as needed. Additionally, materials and parts needed to arrest an emergency event will be acquired from local supply shops and distributors.

The emergency response agencies, in particular the Park County Fire Protection District #4, have executed Mutual Aid Agreements with other districts. This system established a means to acquire additional equipment and personnel beyond the capacity of District #4. The District #4 Fire Chief will solicit such additional resources and equipment as the situation warrants.

### **400.5 Actions to Protect Personnel and the Public**

The predominant action taken by Windsor to protect personnel and the public will be achieved through a continuing education program (also referred to as a “Public Awareness Program”), modeled after the requirements of DOT regulation 49 CFR Part 192.

This public awareness program will involve direct communications to potentially affected members of the public including:

5. Private individuals (the affected public)
6. Local public officials
7. Emergency officials
8. Excavators

Such communications may involve written or oral communications to educate the public on prevention and reaction (emergency response) systems put in place by Windsor. These communications will focus upon:

- a. The potential dangers of Windsor’s operations
- b. How to recognize an emergency event
- c. How to contact Windsor if they witness an emergency that requires response.
- d. How to protect themselves from harm.

In terms of protection of the public during an actual event, Windsor will retain a current list of telephone numbers of all residents in the Line Creek subdivision, who are located in the closest proximity to Windsor operations, as well as other residents in the vicinity of Windsor’s facilities outside Line Creek Subdivision. These lists will be reviewed at least annually to ensure that the contact list remains current. The lists will become a permanent and essential part of this Emergency Response Plan as an attachment to the plan.

The lists of residents will serve as a means to contact individuals in the event of an emergency in the vicinity of their residences. Depending upon the nature, magnitude, physical conditions (such as weather, wind direction, etc.) and severity of the event, residents would be contacted by telephone with specific verbal instructions as further described in the detailed procedures in Section 500 of this manual under the most probable events that could occur.

Evacuation of personnel from the Line Creek subdivision will be performed via safe routes if, after consultation with the Park County Sheriff and the Park County Emergency Response Coordinator, a community evacuation to safer accommodations is deemed necessary

#### **400.6 Emergency Shutdown and Pressure Reduction Procedures**

Windsor has designed and integrated various automated devices and controls and automatic pressure relief devices within their production equipment to detect abnormal conditions and automatically shutdown equipment should operating conditions deviate from safe operating ranges. In some cases, such equipment is also designed to reduce excess pressure in a controlled fashion and to protect the integrity of equipment.

These devices will provide a variety of detection capabilities and include recognition of such operating parameters as:

- High pressure and low pressure conditions inside pipelines and equipment that fall outside normal operating ranges.
- High temperatures and low temperatures for equipment such as compressors and fired burners that fall outside normal operating ranges.
- High level and low fluid level conditions for equipment which contains liquid products that fall outside normal operating ranges.
- Excess rotational speeds for rotating equipment such as engines and compressors.
- Electrical overload conditions for equipment powered by electricity including breakers and fuses.

Proper maintenance, calibration and performance of these protection systems will minimize the risk that an abnormal condition is properly controlled and does not create an event that requires an emergency response.

For situations that result in an emergency, Windsor operators are trained to shut down all equipment manually. After equipment is shut down, the production system design includes numerous manual valves, vents and bleeds which will be used to de-pressure equipment and pipelines to atmospheric pressures from safe locations. Specific procedures for de-pressuring depend upon the location, nature and severity of the emergency event in question and are further described in the detailed procedures in Section 500 of this manual.

### **400.7 Making Safe Any Potential Hazard to Life or Property**

General strategies that will be used to make safe any condition that may pose a hazard to life or property include, but are not limited to:

- Reducing or eliminating pressure inside equipment and pipelines.
- Extinguishing fires directly or indirectly associated with production equipment and pipelines.
- Cooling overheated equipment with fresh water spray where nearby fires may threaten equipment.
- Shutting down energized equipment and removing source of energy (e.g. severing electricity supply).
- Shutting off flow of products through pipelines or equipment.
- Containing migration of released hazardous materials away from the scene of an incident.
- Cordoning off or blockading areas of risk from access by unauthorized personnel (e.g. road blockades).
- Directing personnel and public to areas of safety until the risk is eliminated.
- Mobilizing emergency services to locations where property may be at risk (e.g. fire fighting services for private property threatened by fires).
- Safely removing materials, chemicals and products where possible to avoid expansion or acceleration of an ongoing event. (e.g. reducing or eliminating hydrocarbon liquids inside stock tanks if threatened from range fire)

The specific steps taken to achieve mitigation of a potential hazard to life or property depend upon the location, nature and severity of the emergency event in question and are further described in the detailed procedures in Section 500 of this manual.

**400.8 Notifying Fire, Police and Public Officials and Coordinating  
Planned and Actual Responses**

Notification of fire response services, police and public officials such as Park County Emergency Management will be achieved by convention communications procedures.

Emergency response requests, in particular, will be achieved by dialing 9-1-1. This “one-stop” service provides a single point of contact to mobilize fire departments, law enforcement and medical services.

Coordination of planned and actual responses will be performed by the on-scene Incident Commander or the Unified Command team when unified command system is adopted. The Incident Command system is addressed in section 400.3.

#### **400.9 Safely Restoring Service Outages**

If, as a result of any emergency event, Windsor causes service outages to private residences, either intentionally or unintentionally, Windsor will arrange for service restoration only after conditions are deemed safe by Windsor.

Service outage restoration for water, gas, cable, telephone and electric utilities will be performed by the appropriate utility suppliers and/or qualified craftsmen (e.g. electricians).

### **400.10 Incident Investigations**

Windsor believes that lessons learned from an incident serve as a basis to minimize risk of recurrence of the event. Accordingly, Windsor will conduct and document an investigation intended to define the most likely root causes of an emergency event.

Such investigations will involve Windsor operating and technical personnel and could likely involve outside emergency responders, contractors, consultants and agencies as necessary to conduct a thorough investigation.

The investigation of an event will begin as soon as practical following the conclusion of an emergency event. It will initially involve collection and compilation of the following information to the extent it is available and pertinent to the investigation:

- Interview of all eyewitnesses that may have been present prior to and during the initial stages of the event.
- Interview pertinent personnel providing response to the event (e.g. fire department).
- Collection and evaluation of all recorded operating data prior to and during the event (pressures, temperatures, flow rates, etc.).
- Secure and recover of all samples (e.g. pipe samples in the case of a pipeline failure) and equipment that are suspected to have failed, for inspection and lab analysis, as determined appropriate, if a material or mechanical failure is suspected.
- All operating records and notices that could have a bearing on the investigation (e.g. One-Call notices if a 3<sup>rd</sup>-party damage incident is encountered).

A multi-disciplined team of individuals will be assembled to evaluate all data and information that has been compiled, establish conclusions about the primary and contributing causes of the incident, and develop recommendations to prevent recurrence and document the incident in a final report.

### **500 Specific Emergency Response Procedures (Most Probable Events)**

Windsor has identified the most probable emergency events that could occur as a result of abnormal operating events. The following sections define the most probable events and their key tactical steps that will be taken to arrest the event.

While the procedures that follow are sequential in their designated steps, it should be recognized that emergency events could involve a wide range of situations and conditions, including level of exposure of member of the public, intensity or magnitude of the event, duration of the event, climate conditions, lighting conditions, risk of threats to the environment, location of the incident, accessibility or inaccessibility to the site, etc.

The Incident Commander must use a prudent assessment and judgment of the overall conditions surrounding the emergency event to establish his priority of actions. Accordingly, he retains the authority to prioritize actions and responses that may not precisely follow the designated sequence. Some response actions may occur concurrently due to multiple responders being present and other steps may be taken in a different prioritized sequence, depending upon the conditions and situation considered by the Incident Commander. Additionally, some steps may be deemed unnecessary or inappropriate as the situation dictates. Furthermore, other undefined actions may be taken beyond those stated in these procedures in order to terminate and emergency and protect people and assets.

**Protection of human health and life will always be the foremost priority in any response decision. The sequence of actions directed by the Incident Commander will always place the protection of people as predominant over all other actions and responses.**

### **500.1 Gas Pipeline Release**

1. Call 9-1-1 to mobilize Park County Fire Protection District #4, medical services and law enforcement services to scene of gas release. Advise them of location of gas release and to approach from upwind direction to the extent possible.
2. Upon receiving verbal notice of gas release, remotely trip wellhead shut-in. If more expedient, go to lease production site and trigger shutdown of well production unless remote trip or automated safety systems have already triggered well shut-in.
3. Request fire department to not extinguish fire if the leak has ignited, unless it is placing people or homes in immediate danger or the presence of the fire is deemed to result in an escalation of the event.
4. Concurrent with mobilizing fire department, mobilize ambulance from Powell or Cody until or unless it is confirmed that no injuries exist. If no facts are known in regard to the existence or lack of existence of injuries, the assumption will be made that medical help is required until proven otherwise. Rendering first aid to any injured person takes precedence over any other response to the incident.
5. Contact residents as necessary based upon the location, severity and magnitude of the event. Advise them to shelter in place and await further direction and instructions from the Incident Commander. Advise all contacted residents to not start cars or create any ignition sources and to extinguish any outdoor fires if they exist.
6. Go to nearest block valves on the gas pipeline upstream and downstream of the release and shut the block valves to isolate the leak. Shut down corresponding hydrocarbon liquids pipeline block valves as a matter of additional precaution.
7. Go to pipeline vent valves and begin bleeding down the line in a controlled fashion, starting with vent valve closest to the leak. If fire exists at the location of the line leak, it should diminish and self-distinguish as gas pressure is reduced.
8. Report leak to appropriate regulatory authorities.
9. Advise affected residents when conditions have been rendered safe.

### **500.2 Hydrocarbon Liquids Pipeline Release**

1. Call 9-1-1 to mobilize Park County Fire Protection District #4, medical services and law enforcement services to scene of gas release. Advise them of location of hydrocarbon liquids release and to approach from upwind direction to the extent possible.
2. Upon receiving verbal notice of hydrocarbon liquids pipeline release, remotely trip wellhead shut-in. If more expedient, go to lease production site and trigger shutdown of well production unless remote trip or automated safety systems have already triggered well shut-in.
3. Request fire department to extinguish fire if the leak has ignited. This may require the fire department to mobilize foam units from other districts under mutual aid agreements.
4. Concurrent with mobilizing fire department, mobilize ambulance from Powell or Cody until or unless it is confirmed that no injuries exist. If no facts are known in regard to the existence or lack of existence of injuries, the assumption will be made that medical help is required until proven otherwise. Rendering first aid to any injured person takes precedence over any other response to the incident.
5. Contact residents as necessary based upon the location, severity and magnitude of the event. Advise them to shelter in place and await further direction and instructions from the Incident Commander. Advise all contacted residents to not start cars or create any ignition sources and to extinguish any outdoor fires if they exist.
6. Go to nearest block valves on the hydrocarbon liquids pipeline upstream of the release and shut the valve. Leave downstream block valve open to allow pipeline to self-evacuate by gravity-draining to lower elevations into hydrocarbon liquids stock tanks. Shut down corresponding gas pipeline block valves as a matter of additional precaution.
7. Mobilize dirt contractors and construct temporary containment berms and/or siphon dams to contain and prevent migration of spill. Use vacuum trucks to recover free hydrocarbon liquids. For final clean up, use sorbent pads, wash water, bio remediation in place and/or removal of contaminated soil.
8. Report leak to appropriate regulatory authorities.
9. Advise affected residents when conditions have been rendered safe.
10. Clean up and remediate contaminated soil utilizing methods authorized by the Wyoming DEQ, BLM and the Wyoming Oil and Gas Conservation Commission in accordance with their jurisdictions and regulatory authorities.

### **500.3 Hydrocarbon Liquids Stock Tank Fire**

1. Call 9-1-1 to mobilize Park County Fire Protection District #4, medical services and law enforcement services to the Central Station.
2. Upon receiving verbal notice of tank fire, remotely trip wellhead shut-in. If more expedient, go to lease production site and trigger shutdown of well production unless remote trip or automated safety systems have already triggered well shut-in.
3. Request fire department to extinguish fire if it can be achieved from a safe location. This may require the fire department to mobilize foam units from other districts under mutual aid agreements. Additionally, request fire department to spray water on adjacent tanks to keep them as cool and protected as possible.
4. Concurrent with mobilizing fire department, mobilize ambulance from Powell or Cody until or unless it is confirmed that no injuries exist. If no facts are known in regard to the existence or lack of existence of injuries, the assumption will be made that medical help is required until proven otherwise. Rendering first aid to any injured person takes precedence over any other response to the incident.
5. Contact residents as necessary based upon the severity and magnitude of the event. Advise them to shelter in place and await further direction and instructions from the Incident Commander. Advise all contacted residents to not start cars or create any ignition sources and to extinguish any outdoor fires if they exist.
6. Go to nearest block valve on the hydrocarbon liquids pipeline upstream of the tank battery that is accessible from a safe location and shut the valve to terminate incoming hydrocarbon liquids from the hydrocarbon liquids pipeline. Shut down corresponding gas pipeline block valves as a matter of additional precaution.
7. De-energize equipment as appropriate at the Central Station in a safe and logical order. This includes shutting down equipment, shutting off fuel from fired equipment, tripping electricity supply breakers and de-pressuring equipment and piping in a safe and orderly sequence.
8. If hydrocarbon liquids has spilled and breached the containment berm for the tank battery, mobilize dirt contractors to Central Station and construct temporary containment berms and/or siphon dams to contain and prevent migration of spill. Use vacuum trucks to recover free hydrocarbon liquids. For final clean up, use sorbent pads, wash water, bio remediation in place and/or removal of contaminated soil.
9. Dirt contractors may only operate from a safe distance from the tank battery or await the fire to be extinguished to perform work.

### **500.3 Hydrocarbon Liquids Stock Tank Fire (cont.)**

10. Apply sorbent pads as necessary to minimize environmental damage from spill.
11. After fire is extinguished, remove as much hydrocarbon liquids from tanks as possible before beginning site remediation and damage repair.
11. If hydrocarbon liquids spill has occurred, clean up and remediate contaminated soil utilizing methods authorized by the Wyoming DEQ, BLM and the Wyoming Oil and Gas Conservation Commission in accordance with their jurisdictions and regulatory authorities.
12. Report spill to appropriate regulatory authorities if spill has occurred either inside the containment berm or any hydrocarbon liquids escape from the containment berm.
13. Advise affected residents when conditions have been rendered safe.

#### **500.4 Hydrocarbon Liquids Stock Tank Spill**

1. Call 9-1-1 to mobilize Park County Fire Protection District #4, medical services and law enforcement services to the Central Station.
2. Upon receiving verbal notice of tank fire, remotely trip wellhead shut-in. If more expedient, go to lease production site and trigger shutdown of well production unless remote trip or automated safety systems have already triggered well shut-in.
3. Request fire department to mobilize foam units from other districts under mutual aid agreements to standby in case of ignition of spilled hydrocarbon liquids. Additionally, request fire department to be prepared to spray water on adjacent tanks to keep them as cool and protected as possible should an ignition occur.
4. Concurrent with mobilizing fire department, mobilize ambulance from Powell or Cody until or unless it is confirmed that no injuries exist. If no facts are known in regard to the existence or lack of existence of injuries, the assumption will be made that medical help is required until proven otherwise. Rendering first aid to any injured person takes precedence over any other response to the incident.
5. Contact residents as necessary based upon the severity and magnitude of the event. Advise them to shelter in place and await further direction and instructions from the Incident Commander. Advise all contacted residents to not start cars or create any ignition sources and to extinguish any outdoor fires if they exist.
6. Go to nearest block valve on the hydrocarbon liquids pipeline upstream of the tank battery that is accessible from a safe location and shut the valve to terminate incoming hydrocarbon liquids from the hydrocarbon liquids pipeline. Shut down corresponding gas pipeline block valves as a matter of additional precaution.
7. De-energize equipment as appropriate at the Central Station in a safe and logical order. This includes shutting down equipment, shutting off fuel from fired equipment, tripping electricity supply breakers and de-pressuring equipment and piping in a safe and orderly sequence.
8. If hydrocarbon liquids spill has breached the containment berm for the tank battery, mobilize dirt contractors to Central Station and construct temporary containment berms and/or siphon dams to contain and prevent migration of spill. Use vacuum trucks to recover free hydrocarbon liquids. For final clean up, use sorbent pads, wash water, bio- remediation in place and/or removal of contaminated soil.
9. Dirt contractors may only operate from a safe distance from the tank battery.
10. Apply sorbent pads as necessary to minimize environmental damage from spill.

#### **500.4 Hydrocarbon Liquids Stock Tank Spill (cont.)**

11. If damaged tank or equipment is involved, remove as much hydrocarbon liquids from tanks as possible before beginning site remediation and damage repair.
12. Report spill to appropriate regulatory authorities if spill has occurred either inside the containment berm or any hydrocarbon liquids escape from the containment berm.
13. Clean up and remediate contaminated soil utilizing methods authorized by the Wyoming DEQ, BLM and the Wyoming Oil and Gas Conservation Commission in accordance with their jurisdictions and regulatory authorities.
14. Advise affected residents when conditions have been rendered safe

### **500.5 Facility Gas Fire**

1. Call 9-1-1 to mobilize Park County Fire Protection District #4, medical services and law enforcement services. Advise them of location of fire and to approach from upwind direction to the extent possible.
2. Upon receiving verbal notice of facility gas fire, remotely trip wellhead shut-in. If more expedient, go to lease production site and trigger shutdown of well production unless remote trip or automated safety systems have already triggered well shut-in. If fire is located at lease pad facility, only perform this task if it can be accomplished from a safe location.
3. Request fire department to not extinguish fire if it has ignited, unless it is placing people or homes in immediate danger or the presence of the fire is deemed to result in an escalation of the event. If fire is at Central Station and jeopardizes stock tanks, request fire department to spray water on outside of tanks to keep them as cool as possible. Additionally, if the fire poses a risk to stock tanks, request fire department to mobilize foam units from other districts under mutual aid agreements to standby in case failure of tanks or ignition of tank contents.
4. Concurrent with mobilizing fire department, mobilize ambulance from Powell or Cody until or unless it is confirmed that no injuries exist. If no facts are known in regard to the existence or lack of existence of injuries, the assumption will be made that medical help is required until proven otherwise. Rendering first aid to any injured person takes precedence over any other response to the incident.
5. Contact residents as necessary based upon the severity and magnitude of the event. Advise them to shelter in place and await further direction and instructions from the Incident Commander. Advise all contacted residents to not start cars or create any ignition sources and to extinguish any outdoor fires if they exist.
6. Shut hydrocarbon liquids and gas pipeline block valves on the pipelines at the lease pad.
7. If fire is at lease pad, bleed off pressure from all piping and equipment from manual bleed valves which can be accessed from a safe location until fire self-extinguishes from lack of fuel.
8. If fire is at Central Station, before departing lease pad, open vent valve on gas pipeline and begin bleeding down pressure in the gas pipeline from lease pad location.
9. Go to Central Station and shut gas pipeline inlet block valve to isolate gas pipeline from Central facility equipment if it can be done from a safe location.

**500.5 Facility Gas Fire (cont.)**

10. De-energize equipment as appropriate at the site of the fire in a safe and logical order. This includes shutting down equipment, shutting off fuel from fired equipment, tripping electricity supply breakers and de-pressuring equipment and piping in a safe and orderly sequence. Bleed off pressure from all piping and equipment using manual bleed valves which can be accessed from a safe location until fire self-extinguishes from lack of fuel.
11. Report fire to appropriate regulatory authorities
12. Advise affected residents when conditions have been rendered safe.

### **500.6 Range Fire Threatening Above-Ground Facilities**

1. Upon receiving verbal notice of range fire, remotely trip wellhead shut-in, if fire threat is immediate to lease pad or Central Station. If more expedient, go to lease production site and trigger shutdown of well production unless remote trip or automated safety systems have already triggered well shut-in.
2. If fire threat is considered imminent but not immediate, go to lease pad and shut in well production in a controlled manner.
3. Bleed down all pressure on lease pad equipment using manual bleed valves if fire threat is to lease pad.
4. Shut in gas and hydrocarbon liquids pipeline block valves at lease pad to isolate pipeline contents from lease pad.
5. If fire threat is to Central Station, go to site and shut in gas and hydrocarbon liquids pipeline block valves to isolate gas and hydrocarbon liquids pipelines from Central Station equipment.
6. De-energize equipment as appropriate at the site of the fire risk in a safe and logical order. This includes shutting down equipment, shutting off fuel from fired equipment, tripping electricity supply breakers and de-pressuring equipment and piping in a safe and orderly sequence. Bleed down equipment at the site of the fire risk of gas pressure using manual bleed valves.
7. To the extent time allows, arrange for removal of as much hydrocarbon liquids from stock tanks as possible.
8. Restart equipment and production after fire threat has passed.

### **500.7 Hydrocarbon Liquids Transport Accident**

1. Call 9-1-1 to mobilize Park County Fire Protection District #4, medical services and law enforcement services. Advise them of location of accident and to approach from upwind direction to the extent possible.
2. Request fire department to mobilize foam units from other districts under mutual aid agreements to stand by in case of ignition of spilled hydrocarbon liquids.
3. Contact transport owner to advise of accident and status of response. Request transport owner to contact nearest relative of transport driver and passengers if medical treatment is involved.
4. Concurrent with mobilizing fire department, mobilize ambulance from Powell or Cody until or unless it is confirmed that no injuries exist. If no facts are known in regard to the existence or lack of existence of injuries, the assumption will be made that medical help is required until proven otherwise. Rendering first aid to any injured person takes precedence over any other response to the incident.
5. Contact residents as necessary based upon the severity and magnitude of the event. Advise them to shelter in place and await further direction and instructions from the Incident Commander. Advise all contacted residents to not start cars or create any ignition sources and to extinguish any outdoor fires if they exist.
6. If hydrocarbon liquids have spilled, Mobilize dirt contractors and construct temporary containment berms and/or siphon dams to contain and prevent migration of spill. Use vacuum trucks to recover free hydrocarbon liquids.
7. Apply sorbent pads as necessary to minimize environmental damage from spill.
8. Request transport owner to assume responsibility for containment and cleanup as soon as practical, including recovery of spilled hydrocarbon liquids and damaged transport vehicle as well as cleanup and site remediation resulting from escape of hydrocarbon liquids.
9. Request transport owner to report spill to appropriate regulatory authorities and assume other related administrative tasks associated with the spill and accident.
10. Advise affected residents when conditions have been rendered safe.

### **500.8 Employee or Contractor Injury or Illness**

1. Call 9-1-1 to mobilize Park County Fire Protection District #4, medical services and law enforcement services. Advise them of exact location of affected individual, expected nature and cause of injury or illness, any known condition or vitals and any anticipated rescue or recovery requirements of the individual.
2. Administer appropriate first aid to affected individual in advance of arrival of Fire District EMTs.
3. Relinquish treatment and care of individual to Park County Fire District #4 EMTs upon their arrival.
4. Advise EMTs with the Fire District of any known operational considerations, ongoing safety threats or risks at the location of the individual requiring medical assistance.
5. If nearby ongoing operations affect care, comfort or threat to affected individual or the emergency responders, shut down operating equipment in a safe and orderly sequence.
6. If affected person is Windsor employee or contract operator, contact nearest relative of affected individual and advise of situation, condition, treatment and medical facility destination.
7. If affected person is Windsor contractor, contact the employer/owner and request that employer/owner contact nearest relative of affected individual and advise of situation, condition, treatment and medical facility destination.

## **600 Response From the Public**

Windsor's response to emergency events will place foremost priority on the protection of personnel and member of the public.

Emergency events could involve a wide range of situations and conditions, including the intensity or magnitude of the event, duration of the event, climate conditions, lighting conditions, risk of threats to the environment, location of the incident, accessibility or inaccessibility to the site.

Given a wide range of conditions that could exist for an emergency, every situation could present its own unique degree of exposure of the public that would dictate the appropriate response. For planning and preparation purposes, Windsor will conduct a public awareness program designed to communicate, among other things, the proper public response to a range of events.

For any event that could occur, the Incident Commander may direct any of the following responses from the public:

- Shelter-in-place (remain inside homes).
- Avoid the scene of an event.
- Depart location on foot to seek safe upwind position.
- Terminate outdoor sources of ignition (e.g. open fires).
- Terminate use of vehicles
- Evacuate the residential subdivision.

The exact response will depend on the situation and conditions unique to each incident. Windsor will retain a contact list for Line Creek Subdivision residents as well as residents in the vicinity of Windsor's facilities outside Line Creek Subdivision to enable the ability to readily contact residents to advise of appropriate action(s) to be taken. For the most probable emergency events that could occur within Windsor's operations, refer to the detailed procedures in section 500 for specific guidance on response from the public.

## **700 Contact Lists**

Windsor will maintain contact lists for agencies and personnel who would likely need to be contacted in the event of an emergency associated with Windsor's operations:

- Contact List for Primary Response Personnel and Agencies
- Contact List for Governmental and Regulatory Agencies
- Contact List for Contract and Other Services
- Contact List for Potentially Affected Residents and Landowners:
  - Zone 1 – Well Pad Vicinity  
Line Creek Subdivision residents and landowners in  
Lots #56-58, #78-80, #87-90 (10 Lots)
  - Zone 2 – Pipeline Right-of-Way Within Line Creek Subdivision  
Line Creek Subdivision residents and landowners in  
Lots #27, #30-35, #70-80 (18 Lots)
  - Zone 3 – Central Station Vicinity  
Parcel residents and landowners outside Line Creek Wilderness  
Subdivision in County Parcels #7-11, #14 (6 parcels)
  - Zone 4 – Pipeline Right-of-Way between Central Station and Hwy 120  
Parcel residents and landowners outside Line Creek Wilderness  
Subdivision in County Parcels #? - ? (? parcels)

These lists will be reviewed for accuracy periodically and updated as necessary. The lists will be reviewed no less frequently than annually.

### **700.1 Primary Response Personnel and Agencies**

<b>Name:</b>	<b>Dave Hoffert</b>
<b>Organization/Agency/Affiliation:</b>	<b>Park County Fire Protection District</b>
<b>Function:</b>	<b>Fire and EMT Services</b>
<b>Street Address:</b>	<b>P.O. Box 28</b>
<b>City, State, Zip Code:</b>	<b>Powell, WY. 82345</b>
<b>Telephone Number:</b>	<b>9-1-1</b>
<b>Telephone Number (Alt):</b>	<b>1-307-645-3232 (Park Co. Fire Dist.)</b>
<b>Telephone Number (Alt.):</b>	<b>1-307-645-3230 (D. Hoffert – Home)</b>
<b>Telephone Number (Alt.):</b>	<b>1-307-527-8525 (D. Hoffert – Work)</b>

<b>Name:</b>	<b>Park County Sheriff</b>
<b>Organization/Agency/Affiliation:</b>	<b>Law Enforcement</b>
<b>Function:</b>	<b>1131 11<sup>th</sup> Street</b>
<b>Street Address:</b>	<b>Cody, WY 82414</b>
<b>City, State, Zip Code:</b>	<b>9-1-1</b>
<b>Telephone Number:</b>	<b>1-307-527-8700 (Dispatch Center)</b>
<b>Telephone Number (Alt):</b>	

<b>Name:</b>	<b>Alex Gisoldi</b>
<b>Organization/Agency/Affiliation:</b>	<b>Park County Emergency Management</b>
<b>Function:</b>	<b>Emergency Management &amp; Coordination</b>
<b>Street Address:</b>	<b>1131 11<sup>th</sup> Street (?)</b>
<b>City, State, Zip Code:</b>	<b>Cody, WY. 82414</b>
<b>Telephone Number:</b>	<b>1-307-527-8760</b>
<b>Telephone Number (Alt):</b>	

<b>Name:</b>	<b>Highway Patrol Wyoming</b>
<b>Organization/Agency/Affiliation:</b>	<b>Law Enforcement (Highway)</b>
<b>Function:</b>	<b>1130 Sheridan Ave. Ste. 110</b>
<b>Street Address:</b>	<b>Cody, WY 82414</b>
<b>City, State, Zip Code:</b>	<b>1-800-442-9090 (Emergencies)</b>
<b>Telephone Number:</b>	<b>1-307-587-9728</b>
<b>Telephone Number (Alt):</b>	

**700.1 Primary Response Personnel and Agencies (cont.)**

**Name:** Jay Allen  
**Organization/Agency/Affiliation:** Circle J Contract Pumping  
**Function:** Contract Production Operator  
**Street Address:** 51 Spicer Lane  
**City, State, Zip Code:** Cody, WY. 82414  
**Telephone Number:** 1-307-587-7880  
**Telephone Number (Alt):** 1-307-899-7889 (cell)

**Name:** Mark Schumann  
**Organization/Agency/Affiliation:** Consultant  
**Function:** Consultant  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:** 1-307-250-1860  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

## **700.2 Governmental and Regulatory Agencies**

**Name:**  
**Organization/Agency/Affiliation:** Bureau of Land Management  
**Function:** Federal Land Management & Regulation  
**Street Address:** 1002 Blackburn Ave.  
**City, State, Zip Code:** Cody, WY. 82414  
**Telephone Number:** 1-307-578-5900  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:** Park County Commissioners  
**Function:** County Management  
**Street Address:** 1002 Sheridan Ave.  
**City, State, Zip Code:** Cody, WY. 82414  
**Telephone Number:** 1-307-527-8519  
**Telephone Number (Alt):** 1-307-578-5939 (fax)

**Name:**  
**Organization/Agency/Affiliation:** WY Oil & Gas Conservation Comm.  
**Function:** Oil and Gas Regulation  
**Street Address:** 2211 King Blvd.  
**City, State, Zip Code:** Casper, WY. 82602  
**Telephone Number:** 1-307-234-7147  
**Telephone Number (Alt):** 1-307-234-5306 (fax)

**Name:** John Corra, Director  
**Organization/Agency/Affiliation:** WY Dept. of Environmental Quality  
**Function:** Environmental Regulation & Control  
**Street Address:** 122 West 25<sup>th</sup> Street  
**City, State, Zip Code:** Cheyenne, WY. 82002  
**Telephone Number:** 1-307-777-7391 (Air Quality)  
**Telephone Number (Alt):** 1-307-777-7781 (Water Quality)  
**Telephone Number (Alt):** 1-307-777-7756 (Land Quality)

**700.2 Governmental and Regulatory Agencies (cont).**

**Name:** David Piroutek, Section Supervisor  
**Organization/Agency/Affiliation:** WY Public Services Commission  
**Function:** DOT Pipeline Regulation  
**Street Address:** 2515 Warren Street  
**City, State, Zip Code:** Cheyenne, WY. 82002  
**Telephone Number:** 1-307-777-5750  
**Telephone Number (Alt):** 1-307-777-7427

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

### **700.3 Contract & Other Services**

**Name:** Lloyd Thiel  
**Organization/Agency/Affiliation:** Larry E. Thiel Construction  
**Function:** Contractor – Dirt Work  
**Street Address:**  
**City, State, Zip Code:** Clark, WY.  
**Telephone Number:** 1-307-645-3215  
**Telephone Number (Alt):**

**Name:** Carnie Miller or Greg Lynch  
**Organization/Agency/Affiliation:** Northstate Corp.  
**Function:** Contractor – Labor and Dirt Work  
**Street Address:** 771 Lane 9  
**City, State, Zip Code:** Powell, WY. 82435  
**Telephone Number:** 1-307-754-7271 (24 Hour)  
**Telephone Number (Alt):** 1-307-272-5700

**Name:**  
**Organization/Agency/Affiliation:** American Red Cross  
**Function:** Emergency Relief Services  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:** 1-866-879-5170  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:** West Park Hospital  
**Function:** Medical Care  
**Street Address:** 707 Sheridan Ave.  
**City, State, Zip Code:** Cody, WY. 82414  
**Telephone Number:** 9-1-1  
**Telephone Number (Alt):** 1-800-654-9447 or 1-307-527-7501

**700.3 Contract & Other Services (cont.)**

<b>Name:</b>	
<b>Organization/Agency/Affiliation:</b>	<b>Powell Valley Hospital</b>
<b>Function:</b>	<b>Medical Care</b>
<b>Street Address:</b>	<b>777 Avenue H</b>
<b>City, State, Zip Code:</b>	<b>Powell, WY 82435</b>
<b>Telephone Number:</b>	<b>9-1-1</b>
<b>Telephone Number (Alt):</b>	<b>1-307-754-2267</b>
<b>Name:</b>	
<b>Organization/Agency/Affiliation:</b>	<b>St. Vincent Healthcare</b>
<b>Function:</b>	<b>Medical Care and Medivac Services</b>
<b>Street Address:</b>	<b>1233 N. 30<sup>th</sup></b>
<b>City, State, Zip Code:</b>	<b>Billings, MT.</b>
<b>Telephone Number:</b>	<b>9-1-1</b>
<b>Telephone Number (Alt):</b>	<b>1-406-237-4100 (24-hour emergency)</b>
<b>Name:</b>	
<b>Organization/Agency/Affiliation:</b>	<b>One-Call of Wyoming</b>
<b>Function:</b>	<b>One-Call (Excavation) Notices</b>
<b>Street Address:</b>	<b>P.O. Box 725</b>
<b>City, State, Zip Code:</b>	<b>Wheatland, WY. 82201</b>
<b>Telephone Number:</b>	<b>1-800-217-3719 (fax locate)</b>
<b>Telephone Number (Alt):</b>	<b>1-800-849-2476 (emergency locate)</b>
<b>Name:</b>	
<b>Organization/Agency/Affiliation:</b>	<b>Beartooth Electric Cooperative Inc.</b>
<b>Function:</b>	<b>Electricity Services</b>
<b>Street Address:</b>	<b>1306 North Broadway</b>
<b>City, State, Zip Code:</b>	<b>Red Lodge, MT. 59068</b>
<b>Telephone Number:</b>	<b>1-406-446-2310</b>
<b>Telephone Number (Alt):</b>	<b>1-406-446-3934 (fax)</b>

**700.3 Contract & Other Services (cont.)**

**Name:**  
**Organization/Agency/Affiliation:**                      **Poison Control Wyoming**  
**Function:**    **Poison Control**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**    **1-800-955-9119**  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

**Name:**  
**Organization/Agency/Affiliation:**  
**Function:**  
**Street Address:**  
**City, State, Zip Code:**  
**Telephone Number:**  
**Telephone Number (Alt):**

**700.4 Residents – Zone 1**  
***Well Pad Area – Line Creek Wilderness Subdivision***  
***(Lots # 56-58, 78-80, 87-90)***

**LOT #56 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #56 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #57 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #57 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 1 (cont.)**  
***Well Pad Area – Line Creek Wilderness Subdivision***  
***(Lots # 56-58, 78-80, 87-90)***

**LOT #58 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #58 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #78 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #78 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 1 (cont.)**  
***Well Pad Area – Line Creek Wilderness Subdivision***  
***(Lots # 56-58, 78-80, 87-90)***

**LOT #79 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #79 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #80 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #80 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 1 (cont.)**  
***Well Pad Area – Line Creek Wilderness Subdivision***  
***(Lots # 56-58, 78-80, 87-90)***

**LOT #87 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #87 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #88 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #88 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 1 (cont.)**  
***Well Pad Area – Line Creek Wilderness Subdivision***  
***(Lots # 56-58, 78-80, 87-90)***

**LOT #89- RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #89 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #90 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #90 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #27 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #27- OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #30 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #30 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #31 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #31 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #32 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #32 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #33 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #33 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #34 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #34 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #35 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #35 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #70 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #70 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #71- RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #71 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #72 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #72 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #73 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #73 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #74 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #74 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #75 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #75 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #76 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #76 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #77- RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #77 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #78 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #78 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 2 (cont.)**  
***Pipeline ROW – Line Creek Wilderness Subdivision***  
***(Lots # 27, 30-35, 70-80)***

**LOT #79- RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #79 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #80 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**LOT #80 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 3**  
***Central Station Vicinity***  
***(County Parcels #7-11, 14)***

**PARCEL #7 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #7- OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #8 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #8 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 3 (cont.)**  
***Central Station Vicinity***  
***(County Parcels #7-11, 14)***

**PARCEL #9 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #9- OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #10 - RESIDENT**

**Name:**

**(No residents in Parcel #10)**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #10 - OWNER**

**Name:**

**Windsor Wyoming, LLC**

**Address:**

**14313 North May Ave.**

**City, State, Zip Code:**

**Oklahoma City, OK. 73134**

**Telephone Number:**

**1-405-848-8807**

**Telephone Number (Alt):**

**1-405-848-8816 (fax)**

**700.4 Residents – Zone 3 (cont.)**  
***Central Station Vicinity***  
***(County Parcels #7-11, 14)***

**PARCEL #11 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #11 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #14 - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #14 - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 4**  
***Pipeline ROW – Central Station to Highway 120***  
***(County Parcels #?)***

**PARCEL #? - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 4 (cont.)**  
***Pipeline ROW – Central Station to Highway 120***  
***(County Parcels #?)***

**PARCEL #? - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #?- OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**700.4 Residents – Zone 4 (cont.)**  
***Pipeline ROW – Central Station to Highway 120***  
***(County Parcels #?)***

**PARCEL #? - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - RESIDENT**

**Name:**

**Address:**

**City, State, Zip Code:**

**Telephone Number:**

**Telephone Number (Alt):**

**PARCEL #? - OWNER**

**Name:**

**Address:**

**City, State, Zip Code:**

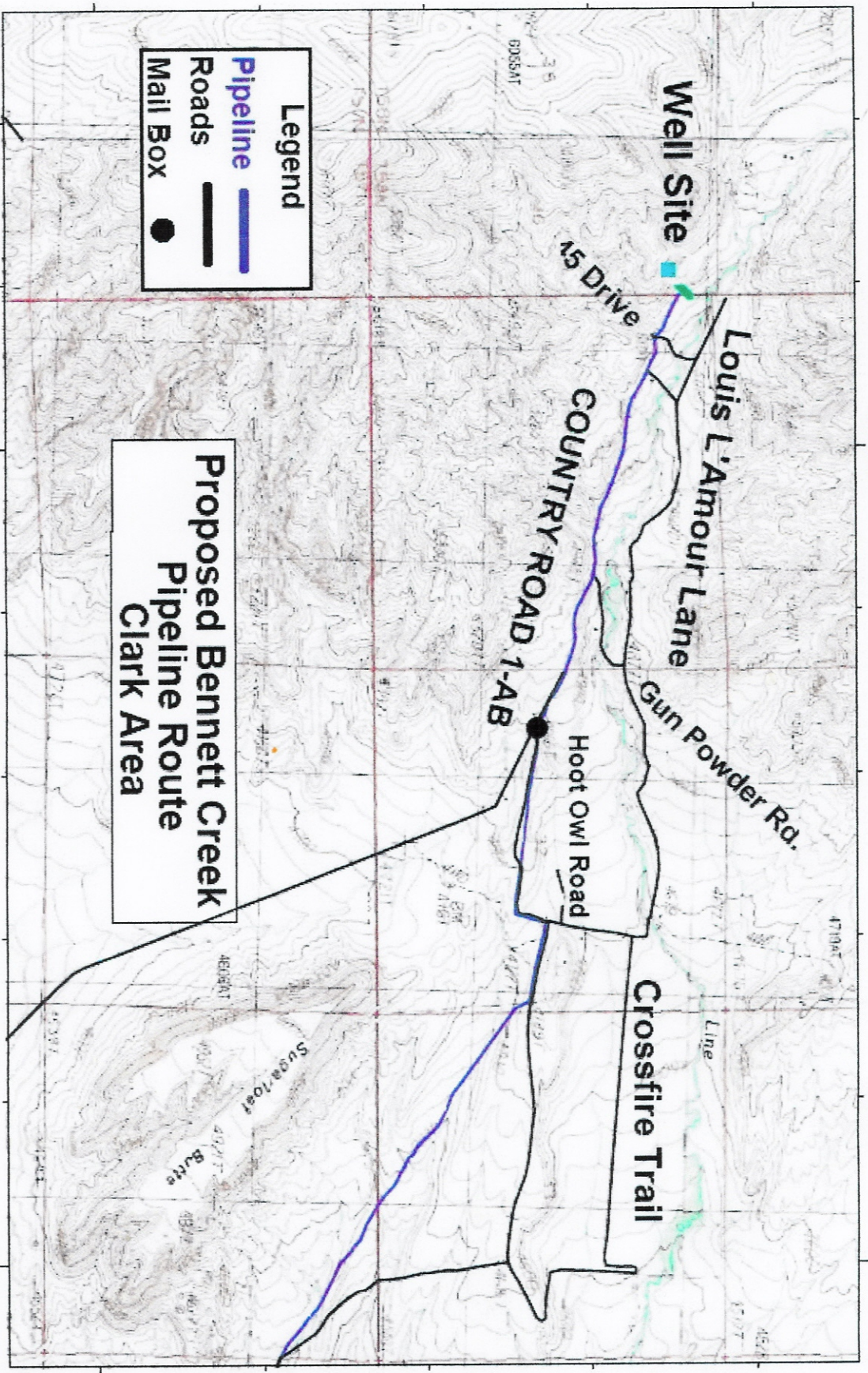
**Telephone Number:**

**Telephone Number (Alt):**

**LINE CREEK WILDERNESS**  
**SUBDIVISION**

**ESCAPE ROUTE MAP**

375300



375300

**Proposed Bennett Creek  
Pipeline Route  
Clark Area**

**LINE CREEK WILDERNESS SUBDIVISION**

**POTENTIAL EVACUATION ROUTE MAP**

12/27/05

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,  
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

- |  |  |
|--|--|
| <b>1. NOTICE OF APPEAL.....</b>  | A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a notice of appeal in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).   |
| <b>2. WHERE TO FILE NOTICE OF APPEAL.....</b><br><br>WITH COPY TO SOLICITOR... | Field Manager,<br>Cody Field Office, 1002 Blackburn Ave., Cody, WY 82414<br><br>Office of the Regional Solicitor<br>Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, CO 80215  |
| <b>3. STATEMENT OF REASONS</b><br><br>WITH COPY TO SOLICITOR.....              | Within 30 days after filing the Notice of Appeal, File a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).<br><br>Office of the Regional Solicitor<br>Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, CO 80215   |
| <b>4. ADVERSE PARTIES.....</b>   | Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the Notice of Appeal, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413). If the decision concerns the use and disposition of public lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made upon the Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will be made upon the Associated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240.   |
| <b>5. PROOF OF SERVICE.....</b>  | Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).   |
| <b>6. REQUEST FOR STAY.....</b>  | Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a <i>Notice of Appeal</i> (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your notice of appeal (43 CFR 4.21 or 43 CFR 2804.1). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the <i>Notice of Appeal</i> and Petition for a Stay <b>must</b> also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. |

Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

**NOTE:** A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, subpart b for general rules relating to procedures and practice involving appeals.

## 43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

### STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska  
Arizona State Office ----- Arizona  
California State Office ----- California  
Colorado State Office ----- Colorado  
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri  
and, all States east of the Mississippi River  
Idaho State Office ----- Idaho  
Montana State Office ----- Montana, North Dakota and South Dakota  
Nevada State Office ----- Nevada  
New Mexico State Office ----- New Mexico, Kansas, Oklahoma and Texas  
Oregon State Office ----- Oregon and Washington  
Utah State Office ----- Utah  
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2005)